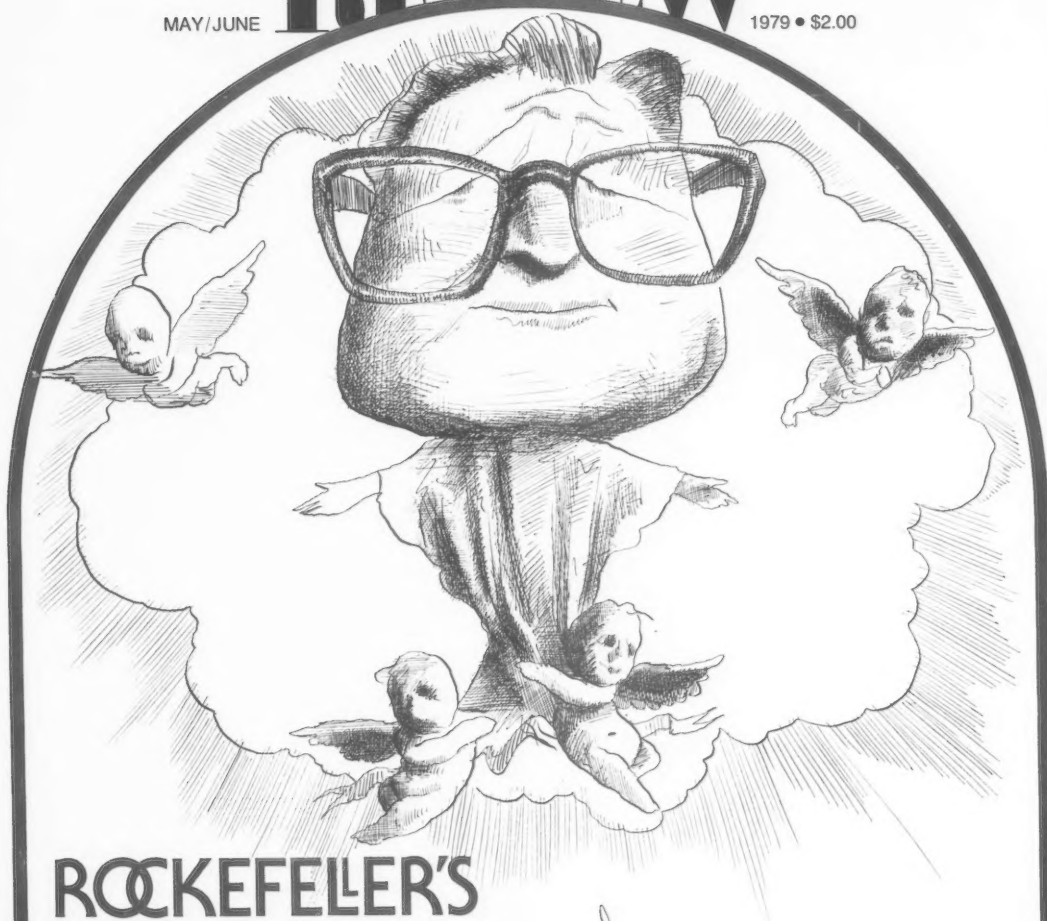


Aviation Week's Doomsday Beat ■ Rebellion at The Plain Dealer
Mr. Deng Comes to Washington ■ The Pope Goes West, the Press Goes Astray

COLUMBIA JOURNALISM REVIEW

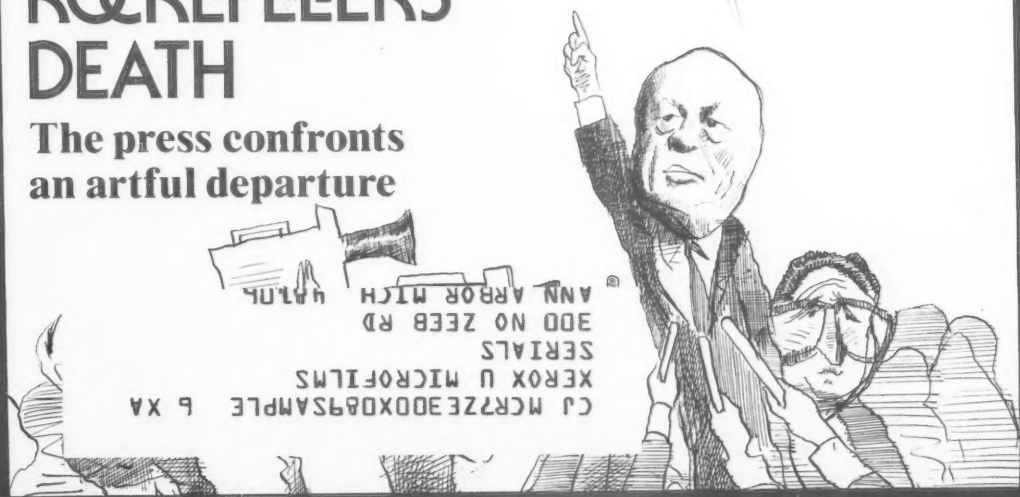
MAY/JUNE

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ROCKEFELER'S DEATH

The press confronts
an artful departure



Julio Fernandez



The thought is from Miguel de Cervantes. The interpretation is by Corita Kent of Immaculate Heart College.

"By the street of By-and-By one arrives at the house of Never."

The street of By-and-By, like another metaphorical thoroughfare, is paved with good intentions. We are aware of our society's problems; we know the necessity of resolving them. But action is frequently hindered by procrastination and postponement. And, sadly, the delays often result in opportunities forever lost.

For example, while we vacillate in solving teenage unemployment, the potentials of a generation of young people may be blunted or permanently lost. While we endlessly debate the problems of energy, resources dwindle and fuel costs escalate.

Clearly, we must be constantly reminded of the job at hand. And we must be goaded, prodded, even shamed into action.

Broadcasting is uniquely equipped for that task. With their phenomenal reach and impact, radio and television can and must spotlight today's problems, present possible solutions and urge action. Repeatedly and relentlessly. In this way, broadcasting can help direct its vast audience away from the street of By-and-By to a road of vigorous action.

It would be sad indeed if our society, the most informed in history, were to end its days padding about the house of Never, mooning over the dusty relics of lost opportunities.



WESTINGHOUSE BROADCASTING COMPANY

BOSTON WBZ WBZ TV
NEW YORK WINS
PHILADELPHIA KYW KYW TV
BALTIMORE WJZ TV
PITTSBURGH KDKA KDKA TV
FORT WAYNE WOIO
CHICAGO WIND
SAN FRANCISCO KPIX
LOS ANGELES KFWB

OF

BY-AND-BY

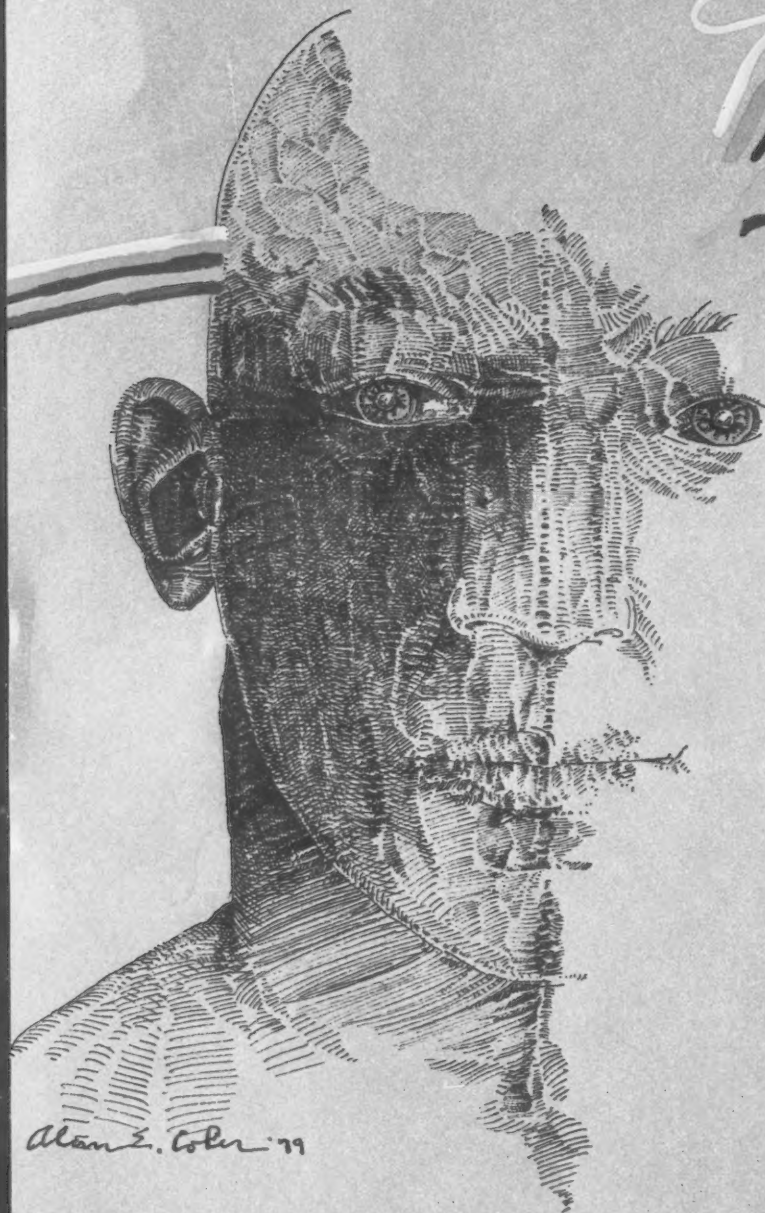
ONE ARRIVES

AT THE HOUSE

NEVER.

CERVANTES

Contra



**Imagine tomorrow
without argument.**

How disagreeable.

Messy business, argument. But, more often than not, it clears the air. Opens up minds to conflicting ideas. Makes proud intellectuals and ordinary folks ask themselves if their cherished assumptions are based on real knowledge or on prejudice, fashion, and rote response. Discussion, even when heated, tends to lead to rational judgments.

Which is why Mobil provokes, needles, challenges, and even tickles the funny bone of America to stir free-wheeling dialogue in the public prints. Saying what we think needs saying on issues that matter to people. Inflation. Jobs. Energy. Environment. The sad state of commercial TV.

Sure, we're a special interest. But what's wrong with that? As Walter Lippmann put it, "all principles are the rationalization of some special interest." The point is, voices of business balance other voices. Stifling any voice distorts the democratic process. The people must be able to weigh all the evidence, come to their own conclusions, and press their views on our national leaders. So future decisions in our participatory democracy will be based on the noblest wisdom of the past—the First Amendment.

Mobil

Speaking out for tomorrow...today

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● To assess the performance of journalism in all its forms, to call attention to its shortcomings and strengths, and to help define — or redefine — standards of honest, responsible service . . . to help stimulate continuing improvement in the profession and to speak out for what is right, fair, and decent ●

—Excerpt from the *Review's* founding editorial, Autumn 1961

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Columbia Journalism Review (ISSN 0010-194X) is published bimonthly under the auspices of the faculty, alumni, and friends of the Graduate School of Journalism, Columbia University. Volume XVIII, Number 1, May/June 1979. Copyright© 1979 Graduate School of Journalism, Columbia University. Subscription rates: \$12 a year; \$14 for foreign subscriptions. Please address all subscription mail to: Columbia Journalism Review, Subscription Service Dept., 200 Alton Place, Marion, Ohio 43302. Editorial office: 700 Journalism Building, Columbia University, New York, N.Y. 10027 (212) 280-3872. Unsolicited manuscripts are welcomed and will be read by the editors, but they cannot be returned unless accompanied by a stamped, self-addressed envelope. Business office: 700A Journalism Building, Columbia University, New York, N.Y. 10027 (212) 280-2716. Second-class postage paid at New York, N.Y. and at an additional mailing office. No claims for back copies honored after one year. National newsstand distribution: Eastern News Distributors, Inc., 111 Eighth Avenue, New York, N.Y. 10011.

Postmaster: send Form 3579 to Columbia Journalism Review, 200 Alton Place, Marion, Ohio 43302.



Diesel-powered cars seem like a startling new idea to just about everybody these days—except Mercedes-Benz.

Mercedes-Benz has built over two million Diesel cars since introducing the world's first production Diesel 43 years ago. Priceless expertise, epitomized by the 5 Diesel thoroughbreds shown here. Read all about them, and about the crucial differences between a Diesel—and a Diesel from Mercedes-Benz.

Cynics were still snickering that "the Diesel engine can never work in an automobile" when Mercedes-Benz unveiled the world's first production Diesel passenger car.

That was in 1936. By 1958, Mercedes-Benz had introduced its Diesel cars to America. And while skeptics warned that "Americans will never buy Diesels," Mercedes-Benz proceeded to sell more than 155,000 of them over the following 21 years.

8 generations of Diesel cars

Today, Mercedes-Benz has progressed to an *eighth* generation of Diesel-powered cars, in a range of five models.

Five singular cars, each a unique rendering of the Diesel idea. Each backed by those 43 years of Mercedes-Benz Diesel development and the experience gained from building more than two million Diesel cars. Their engineering proven in labs and on test tracks, of course—but also by millions of miles of everyday use in 142 countries around the world.

Same principle, different Diesels

All Diesel-powered automobiles share the same technical principles—those laid down by inventor Rudolf Diesel almost a century ago.

But if technical principles were all that counted, all Diesel cars would be alike. It also counts how a Diesel car is *designed* and how it is *built*.

Diesels are no sudden enthusiasm, no production sideline at Mercedes-Benz. Built in the thousands year after year over the decades, Mercedes-Benz Diesel automobiles are almost the company's lifeblood. They reflect the efforts

of engineers who have made the Diesel-powered automobile a career.

You can't argue with results

This commitment and that 43-year fund of Mercedes-Benz Diesel expertise combine to pay welcome dividends.

Diesel engineering breakthroughs seem almost a Mercedes-Benz habit. For example: In 1975, the world's first five-cylinder Diesel passenger car; in 1978, the world's first turbocharged Diesel passenger car—its engine, cousin to that used in a 200-mph Mercedes-Benz Diesel coupe that shattered 9 absolute world speed and distance records.

Other dividends take less spectacular but still impressive forms. The special precombustion chamber provided for each cylinder of a Mercedes-Benz engine, for instance: Air and fuel are mixed and burned in *two* stages, for running smoothness and more complete combustion.

Five different Diesels

The Mercedes-Benz Diesel range consists of more than varied body styles. Here are profiles of five different kinds of Diesel cars:

The 300 SD Turbodiesel Sedan is a *performance* Diesel—the first production Diesel car to employ turbocharging. It is also the roomiest Diesel sedan Mercedes-Benz has ever built, and the most sumptuous.

The total effect is breathtaking. You are literally turbocharged away from stoplights, up long grades, through passing maneuvers, with a feeling of power to spare. "Diesel lag" is gone.

The new 300 TD station wagon, just announced, had to behave like a Mercedes-Benz first and foremost: it is meant to be not just another station wagon, but a brisk-handling machine that is rewarding to drive—even under heavy load. The 300 TD is as *solidly built* as a Mercedes-Benz car, and interior space has been so ingeniously used that all of the passenger seats can fold away to create the maximum possible cargo space.

The 300 CD Coupe introduces Diesel efficiency into the elegant realm of the two-door, limited-production coupe.

The extraordinary result: a rival to some of the world's most exclusive two-door cars, rich with creature comforts and ideal for extended highway cruising—yet powered by a five-cylinder Diesel engine that purrs along on the cheapest automotive fuel you can buy.

The 300 D Sedan is that rarity of rarities, a four-door automobile that is also a *driver's* car.

One spirited run down a challenging mountain road in the 300 D should forever quash the old prejudice that a sedan, or a Diesel, has to be dull.

The 240 D Sedan offers classic, no-nonsense Diesel practicality in its most refined form to date.

With its modest 2.4-liter, four-cylinder engine size, the 240 D's fuel appetite is meant to be lean indeed. The EPA estimates 30 mpg for a 240 D equipped with a manual 4-speed transmission. *Remember:* compare this estimate to the 'estimated mpg' of other cars. You may get different mileage, depending on how fast you drive, weather conditions, and trip length.

Economy is furthered by a manual 4-speed transmission as standard equipment. For those bent on peak efficiency, air-conditioning and certain accessories are omitted from the standard equipment list. They can be ordered as extra-cost options.

Engineered like no other car in the world

The Mercedes-Benz aim is doggedly single-minded. It is to build safe, comfortable, practical cars with as few imperfections as possible.

This philosophy puts engineering ahead of petty economies and precludes the mass production of inexpensive cars.

A Mercedes-Benz is engineered like no other car in the world.



Light alloy wheels on 300 CD and 300 TD—and sunroof shown—are at added cost.

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One Mercedes Drive, Montvale, New Jersey 07645

CHRONICLE

The Guild: spooked again?

With little fanfare and almost no comment outside its own ranks, The Newspaper Guild's international executive board voted last October to accept government funds for the first time since revelations about covert C.I.A. funding in the mid-1960s. The money, to be used to reactivate a training program for Latin American journalists, is the focus of controversy as the Guild prepares for its July convention.

The initial grant, for about \$100,000, originated in the U.S. Agency for International Development, but it is administered by the American Institute for Free Labor Development (A.I.F.L.D.). Since its establishment in 1962, the institute has trained more than 300,000 Latin American union leaders and, in the process, has become identified with a more recognizable set of initials: C.I.A.

The executive board's decision is a departure for the Guild, many of whose members were appalled to learn in 1967 that money funneled into the union for similar projects had come from the C.I.A. News of this connection made the front page of *The New York Times* of February 18, 1967. "The American Newspaper Guild has received nearly \$1 million in foundation grants since 1960 to help finance its South American and other overseas activities," the *Times* said.

The Washington Post noted: "The CIA money was provided to Charles A. Perlik, Jr., the union's secretary-treasurer, and deposited in a special 'International Affairs Fund' by four mystery-shrouded private foundations."

At its 1967 convention, the Guild voted not to accept any more secret money, and gradually the international programs dried up. In 1976, Perlik, who by then had become the Guild's president, proposed to undertake new programs, this time openly using public funds, with A.I.F.L.D. and two similar organizations. The proposal was defeated by the executive board in an 8-to-8 tie vote. Last October, it was accepted, 9 to 6, opening a new era of Guild activity.

In his 1975 exposé, *Inside The Compa-*

ny: CIA Diary, Philip Agee, who left the agency in 1969, described A.I.F.L.D. as a "CIA-controlled labor center financed through AID. Programs in adult education and social projects [are] used as front[s] for covering trade union organizing activity."

One of the C.I.A.'s "most effective" agents inside the A.I.F.L.D., Agee noted, was William C. Doherty, Jr., its special projects director in the 1960s. In a 1964 radio program, Doherty described the political role A.I.F.L.D. trainees had played in one country.

"What happened in Brazil on April 1 [1964] did not just happen; it was planned—and planned months in advance," he said of the coup that took place at that time. "Many of the trade union leaders—some of whom were actually trained in our institute—were involved in the revolution and in the overthrow of the Goulart regime."

Doherty is now executive director of A.I.F.L.D. Whether the institute's policies and affiliations have changed since

the 1960s cannot yet be determined. Doherty failed to return repeated telephone calls to his home and office.

Top Guild officials who back the new program dismiss such evidence of A.I.F.L.D.'s past associations or discount its importance. Perlik says, "I don't think the issue is worthy of the kind of turmoil [opponents of the program] are trying to generate." And Guild chairman Harry Culver comments, "I'm not going around worrying about the C.I.A. under every rock. If it's a good program, I'm going to support it."

According to Perlik's proposal to the executive board, the Latin American training project is necessary, in part, because recent years have shown "a substantial upsurge of interest and activity there by the [Prague-based] International Organization of Journalists." Last winter, after returning from a Latin-American fact-finding trip for the new Guild programs, two union officials recommended to the board that further activities be undertaken in such "sensitive na-

A Kennedy crop at *The Washington Star*— a story in three editions



Senator Kennedy
with unidentified woman
at a White House dinner



Kennedy alone, after
inquiry reveals she
did not come with him



Kennedy with
Msgr. Francis Lally,
a friend

Walter Oates, *The Washington Star*, March 27. Material supplied by Carl P. Leubsdorf

**“Our liberty depends on freedom
of the press, and that cannot be
limited without being lost.”**

Thomas Jefferson

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WS&A

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March 9, 1979

Mr. Allen Kay
Executive Vice-President
Kay, Thomas & Anthony, Inc.
905 Third Avenue
New York, New York 10022

Dear Allen:

Thanks very much for your stimulating presentation last Thursday on "Information Management as a Cost-Cutting Tool."

Our people were very favorably impressed with the thoroughness and insight demonstrated by your research into this area.

However, we've decided to table for the time being any further explorations. Our "paperwork flow," we feel, is not great enough to warrant further action, since the vast majority of it consists merely of ordinary business letter like this one.

But thanks anyway for your help. And should the need for any in-depth cost analysis arise, we'd like you to know that your people will be among the first we'll contact.

Best regards,

Warren Stewart
Warren Stewart
President

WS/bc

\$4.77

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tions" as Nicaragua, "where . . . a communist-backed Latin American journalists' group has been active," and Guatemala, El Salvador, and Honduras, "where left-wing, Catholic-oriented groups have sent activists."

"I don't know why the Guild is fighting the cold war," says Richard Dudman, Washington bureau chief of the *St. Louis Post-Dispatch*. "It contradicts the role of journalists." Floyd Tucker of *The Oakland Tribune*, a Guild vice-president-at-large, says, "I don't see how you can play in that league without getting coopted." Another Guild vice-president, Lou Calvert, telegraph editor at the *San Jose Mercury and News*, speaks of "an implied link with the foreign policy of the United States government."

The Guild's connection with A.I.F.L.D. also raises practical problems for the working journalist. Says Dudman, who was captured by guerrillas in Cambodia in 1970 and accused of being a C.I.A. agent, "I wouldn't want to carry that additional load if I were working in Latin America." (Latin American journalists in some countries, meanwhile, apparently think that association with A.I.F.L.D., with its American ties, will provide some form of protection from oppressive regimes.)

Guild opponents of the new program point to another problem. By joining forces with A.I.F.L.D., the Guild's board has linked the union with an organization allied not just with labor—George Meany of the A.F.L.—C.I.O. is president of the institute—but with management—J. Peter Grace, president of W.R. Grace and Company, is chairman of the board. Other board members have included the presidents of Pan American Airways and Anaconda Copper.

"This situation," wrote the Union Committee for an All-Labor A.I.F.L.D., a reform group, a few years ago, "puts the labor movement out front to take all the knocks for the multinationals." The group's call "to disassociate A.I.F.L.D. from the multinational corporations and all government agencies" has gone unheeded.

The A.I.F.L.D. connection has become a divisive issue within the Guild. Says Betsy Wade, a regional vice president: "I don't see how anything but pain can come out of this."

JEFFREY STEIN

Jeffrey Stein reports on national security issues from Washington. John Marks provided additional research.

The ruffled Mideast press corps

President Carter's success in concluding an Egyptian-Israeli peace treaty ruffled, along the way, a lot of feathers in the press. Aware that they were caught up in a vast media event, reporters grew increasingly concerned that White House aides might be using them as instruments of diplomacy. Their frustration broke out into the open at the end of Carter's mid-March Mideast shuttle, when some correspondents who reported that the president had failed one day were forced to eat their words the next.

On Monday, March 12, the news was bleak. Said Walter Cronkite on CBS that evening: "All indications now are that President Carter's high-stakes gamble in the Middle East has failed. . . ." The next day's *Wall Street Journal* carried a report by Karen Elliott House in a similar vein: "President Carter returns home today, his peace mission having failed. . . ."

Other reports—including those on NBC and ABC—were more cautious, but in general the word was out that a treaty was very unlikely.

Less than twenty-four hours later, many reporters were forced to present a different story—of presidential success.

On Tuesday night, NBC anchorman John Chancellor said flatly that "Carter has done it," and on ABC, White House correspondent Sam Donaldson said the president was returning home "a winner." It was CBS's turn to be cautious: peace, if not achieved, was close at hand.

As Air Force One and the accompanying press plane flew homeward Tuesday night, March 13, reporters shouted at Carter's press secretary, Jody Powell, accusing him of having badly misled them on a very important story. "I told Powell I had never been so misled by a press secretary in sixteen years," said Frank Cormier, the A.P.'s White House correspondent. (Earlier that day, he had filed a story from Jerusalem saying, "President Carter is flying home via Cairo today, denied the triumph he had hoped to achieve. . . .") Several other reporters, including Oswald Johnston of the *Los Angeles Times* and John Wallach of *Hearst Newspapers*, also went after Powell.

On Wednesday, Helen Thomas, U.P.I.'s White House correspondent, brought the controversy into print in an article that began:

Did President Carter pull off a last-minute miracle of peace between Arab and Jew? Or was the defeat-turned-victory a public relations coup?

Some reporters who traveled with Carter believe White House press secretary Jody Po-

*How the White House saw the trip.
(Official White House photo by Karl Schumacher)*



How to buy a typewriter.

—Clip and save—

Choosing a portable typewriter isn't hard if you know what to look for. This brief guide will help you make the best choice.

Test the feel. Check the slope and height of the keyboard. Check the size and shape of the keys. Make sure the controls are uncrowded and easy to reach.

Test the feel of a Smith-Corona® electric typewriter against several other brands. We welcome the comparison.

Try the touch. A responsive touch makes for better, easier typing. Look for a touch that is prompt, easy and dependable.

When you test a Smith-Corona, for instance, note how smartly the carriage returns. Press a button—zip—the carriage is back where it started.

Listen to the sound—the typewriter is trying to tell you something. If it sounds tinny, beware. This may indicate that the construction is too light.

Note the look of the type. Lines and individual letters should be straight. The impression should be crisp, clean and even. The print quality should not vary over the page.

Check the overall design. Good design is part of good value, so choose an attractive modern instrument. The Smith-Corona shown is an example of classic, good design.

Look at the carrying case. Does it have double walls for air-cushioned protection? Does it have sturdy latches, locks and hinges? The Smith-Corona case does.

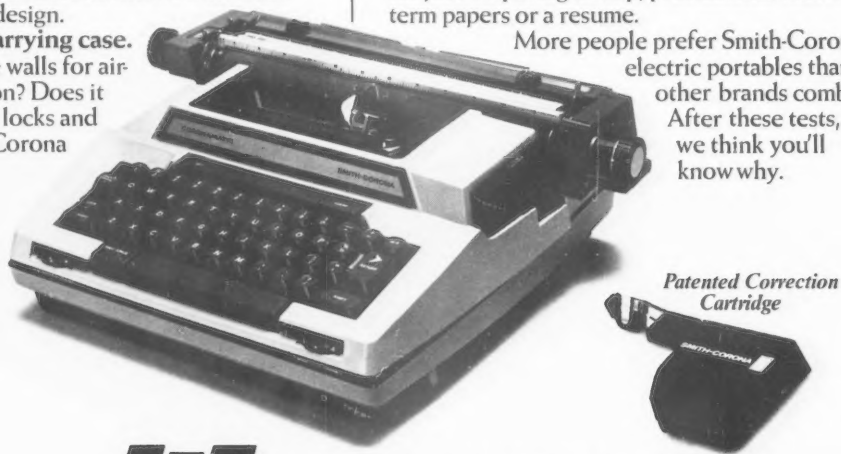
Check the price. A typewriter that sells for substantially less than others might be substantially less typewriter. If the price difference is minimal, you're probably better off paying a few extra dollars for the typewriter that tests best.

Ask who makes it. Smith-Corona makes every single typewriter that bears its name, not true of most other brands. So consider the maker's reputation. A company with a solid reputation will still be around tomorrow and in the future to give your typewriter necessary service and maintenance.

A note about ribbon systems. Smith-Corona offers a unique cartridge ribbon and cartridge correction system. It lets you change ribbons in seconds without touching the ribbon. It also lets you correct typing errors neatly, quickly and easily. Not all correction systems produce equally good results. Test and compare.

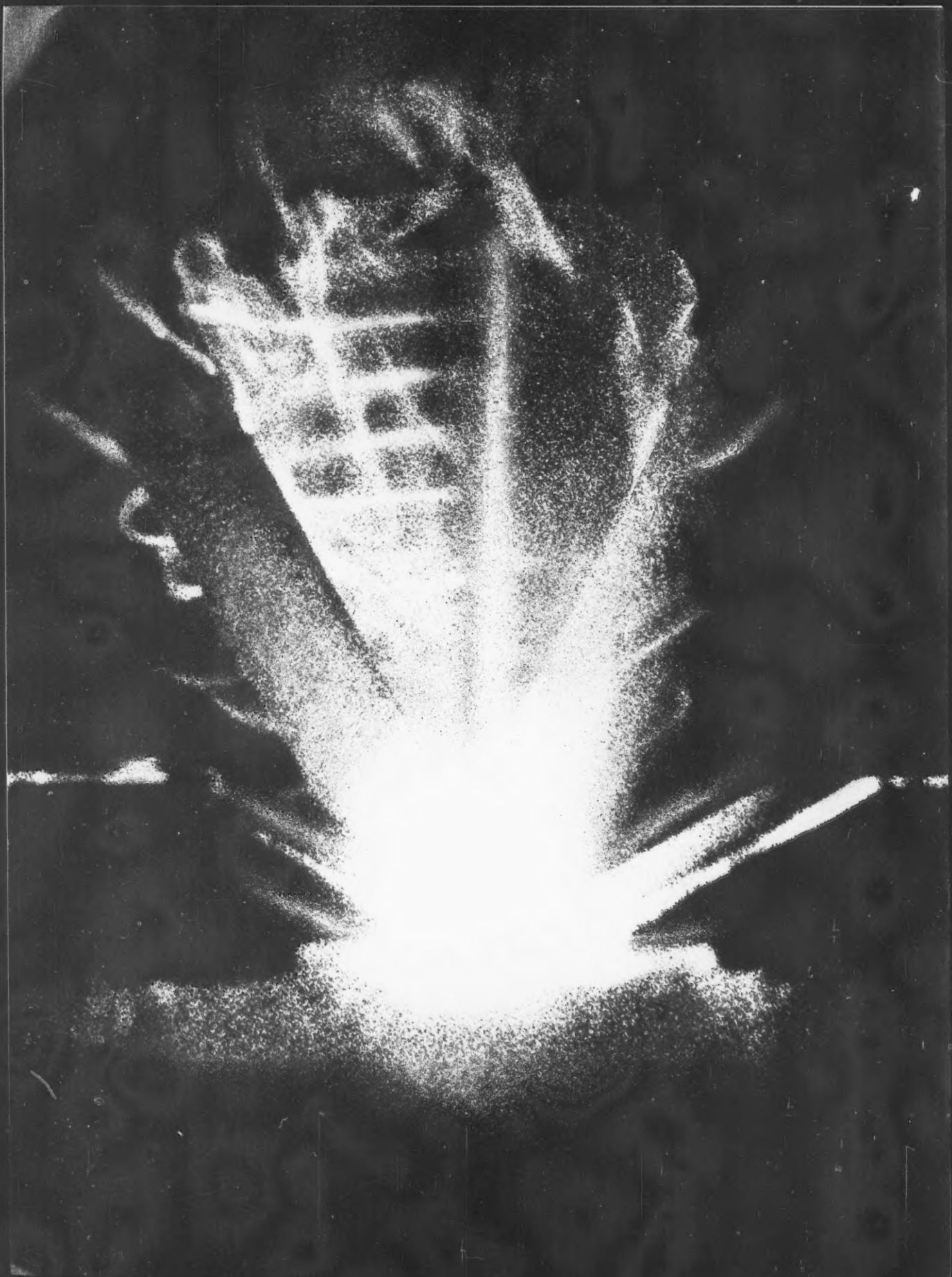
Be sure to try the Smith-Corona carbon film ribbon. We offer a re-usable nylon fabric ribbon, excellent for ordinary typing jobs. This is the only kind of ribbon most portable typewriters offer. But Smith-Corona also offers carbon film ribbon in five colors. It's the kind of ribbon the most expensive office typewriters use, and it's perfect for jobs requiring a crisp, professional look such as term papers or a resume.

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The Atomic Bond.

Using tiny explosive charges, Western Electric engineers are bonding metals with the elemental "glue" of the Universe.

Here's how it works. The atoms of all metals have a natural attraction for one another. If it weren't for the ever-present film of impurities coating the surface—the oxides, nitrides, and absorbed gasses—all metal atoms would bond to each other when brought together.

Exploding Things Together.

But the force of a high-intensity explosion on two adjacent metals will clean away the film of impurities. The explosion literally "blows" the impurities off the surfaces. So the atoms of the different metals can bond together.

The bond that results is stronger than both of the metals themselves.

As an industrial technique, explosive bonding has proved valuable in the manufacture of such heavyweight products as bi-metallic gun barrels.

Pinpoint Explosions.

But how would explosives work in the delicate, intricate world of telephone circuitry?

Scientists at Western Electric's Engineering Research Center solved the problem by developing ways to miniaturize and control explosive bonding. Soon, they could splice the ends of two thin communications wires inside a miniature explosive-coated sleeve.

And they could repair tiny defective contacts on delicate circuit boards. These gold contacts (membrane-thin "fingers" 1/10 by 3/4 of an inch) are reclad by thin sheets of gold foil (.0005 inches thick),

coated with explosives. The repairs are literally "blown" onto the contacts, without disturbing the delicate circuitry less than 1/10 of an inch away.

Miniaturized explosive bonding is only one way we're helping your Bell Telephone Company hold down the cost of your telephone service today. For the future, it promises the benefits of bonding widely disparate metals and all sorts of other materials.

You Can Take It For Granted.

Most important, explosive bonds are contributing to the clarity of communications, the reliability of switching, the taken-for-granted assurance you have when you reach for your telephone.

The atomic bond—it's another innovation from Western Electric. *Keeping your communications system the best in the world.*



Western Electric

We asked Americans:

One in a Series from Union Carbide.

'Is Industry Using Energy More Efficiently Since The 1973 Oil Embargo?'

8 out of 10 Americans say 'No.'

A March, 1979 sampling of public opinion, conducted for Union Carbide by Roger Seasonwein Associates, Inc.,* shows that most Americans feel U.S. industry isn't conserving energy: 53% say industry is using more energy per unit of production than at the time of the 1973 oil boycott. And 29% say industry is using "the same amount."

But a majority see no rise in home use of electricity.

When asked about their own efforts to conserve energy, 52% say they are using about the same amount of electricity at home as in 1973. And 44% feel they are using about the same amount of gasoline, heating oil and natural gas.

What has happened in energy conservation?

Facts to support the belief that individuals are using less or the same amount of gasoline and fuels are hard to come by—since government figures often combine household and commercial use. But the facts do show that the residential and commercial share of the total U.S. energy consumption has gotten *larger* since 1973. And the industrial share has gotten *smaller*.

- According to Edison Electric Institute, average home use of electricity is up almost 10% since the 1973 embargo.
- Since 1973, the U.S. Department of Energy reports, industry has reduced its share of U.S. energy consumption from 39.1% to 35.4%.

What do we gain from conservation?

While many may have ignored initial appeals for energy conservation, inflation and an unstable world have given conservation a very real urgency. Conservation won't make energy less costly in a time of inflation. But it will keep America's energy bills more affordable.

In short, energy conservation is now an economic necessity. Given the real and rising costs of energy, Americans can't afford not to conserve.

What government is doing about energy.

President Carter has submitted to Congress standby conservation plans for gasoline rationing and restrictions on weekend gasoline sales, building temperatures and display lighting.

For the longer term, the White House, Congress and DOE are examining ways both to induce conservation and to provide additional energy supplies—a task complicated by the need to find solutions that are realistic, economically sound—and acceptable to the American people.

What approaches to conservation do Americans favor?

Americans give majority acceptance to two ways to achieve energy conservation: 68% go along with voluntary programs and 62% with conservation laws, short of rationing. A 40% minority accept rationing. And 32% say "raising the price of energy" has a role to play.

The next step.

Perhaps the biggest boost to conservation will come when our policies are based on realistic energy pricing. Once we no longer try to isolate ourselves from the real costs of energy, we won't be tempted to use more than we really need. Each of us will have an incentive to cut waste because we know energy's true costs.

The reality of rising prices: Much of the oil we use comes from abroad—and at skyrocketing prices. The oil we use at home is kept at artificially low prices by federal regulations. And inflation and our desire for a cleaner environment make new domestic energy resources increasingly costly to develop.

Price is 'the one most persuasive factor': Acknowledging the role of prices in fostering energy conservation, President Carter recently described rising prices as "the most persuasive factor" in constraining waste.

A hesitation to apply price remedies: The problem with higher energy prices is that none of us like to pay them—and some of us can't afford to. And our elected representatives understandably hesitate to apply price remedies to energy ills. But given current

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New support for price incentives? The March study shows a low 32% of Americans now accept higher prices as an energy conservation measure. But others might also give their support if convinced that phased-in higher prices honestly reflect costs; don't provide windfall profits; and are fairly apportioned among all groups of the consuming public.

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CHRONICLE

well painted an unnecessarily bleak picture during negotiations—either out of caution or so that Carter might reap greater political benefit from a surprise agreement.

The main point of contention aboard the plane, according to reporters present, was that even after a crucial Monday night meeting (between Cyrus Vance and Moshe Dayan) which, everyone later agreed, had opened the way for the ultimate breakthrough, Carter's press secretary continued to be pessimistic.

Powell—after a brief talk with Vance—had started holding briefings at 11 p.m. that night. James McCartney of the Knight Newspapers, in recapping the breakthrough later that week, quoted a U.S. official as saying, "Vance thought that there was just a slim possibility that [the treaty] might go." Did Powell hint at that slim possibility during his briefings?

Cormier says Powell said nothing that caused him to revise a story he had already filed. CBS's Lesley Stahl, a newcomer to the White House beat, also got the impression things were not going well, which reinforced the view already held by Cronkite and most other CBS correspondents. But Donaldson of ABC and Judy Woodruff of NBC, more familiar with Powell's meandering style and

often subtle use of words, reacted differently. Woodruff, in fact, advised Chancellor that it was too early to give up, and in her own report she noted that American officials were leaving open the possibility of a breakthrough.

Powell, for his part, says he told reporters "they ought to cover their asses because anything could happen."

Some got the message; some didn't. Meanwhile, the Israelis were giving a persistently optimistic line.

A couple of weeks after the event, several correspondents appeared to be less certain that they had been misled. "While I still have some misgivings about the entire operation," says Cormier, who had gone out on a limb, "it might be that he [Powell] was giving us the straight scoop." Karen House, of *The Wall Street Journal*, said her downbeat Tuesday story, which relied on sources other than Powell, "was absolutely accurate that night. My only regret is that, having covered this for a year, I wasn't more attuned to the fact that twenty-four hours before Camp David succeeded, it was a failure, too. I should have hedged more."

Thomas, of U.P.I., who had been

more cautious, comments: "I don't believe the rabbit was pulled out of the hat in some staged way. But I do think that when things began to change late Monday night, it would have behooved them to get us out of bed." In fact, U.S. officials, including Powell, gave no further guidance, even after Carter left Israel on Tuesday reporting progress, until after the deal was sealed with President Sadat.

Cronkite has no regrets, however. "I think that, as of Monday night, it had failed," he says. Nor does he feel he was misled. "If this was all a charade," he adds, recalling how depressed Carter looked while addressing the Knesset on Monday, "then the president deserves not the Nobel Prize but an Oscar."

CARL P. LEUBSDORF

Carl P. Leubsdorf is the White House correspondent for the Baltimore Sun.

INNOVATIONS

McCall's marches on

A new bimonthly, *Working Mother* magazine, was presented to society this spring by that venerable dowager of the



80 PROOF IMPORTED BY THE JOSEPH GARNEAU CO., NEW YORK, N.Y.

women's service field, McCall's. It displays a healthy constitution, and an unpretentious and practical disposition that will no doubt win a warm reception from the 16-million countrywomen who share its concerns. "We would like," says the founding editorial, "to be part of what is called, these days, your 'support system.'"

And supportive it is. Articles treat such quandaries as child care, changing patterns of family life, and sexual temptations on the job. The beat is up: "How Can I Leave That Baby?" "My Husband Learned to Love My Job," "Relax While It Cooks." And the approach is practical: finding an office chair that fits, limiting the kids' television watching, streamlining the shopping and laundry, with only an occasional lapse into the fantasyland of carrot curls in the lunchbox.

The recurrent theme is the working mother's need for time (indeed, the raised voices of a rallying sisterhood may owe less to the fight for E.R.A. than to the fight against fatigue). The magazine divides its editorial energies along lines reflecting the competing demands on the reader's day—"At Home," "On the Job," a quick hairdo, quick exercise,

quick party, quick skirt squeezed in here and there. To its harried audience, no small part of *Working Mother's* appeal will lie in the implicit message that getting it all together is not only necessary, but possible. (Are women's service magazines never to be rid of illusion?) *G.C.*

Geo-whiz

"Our subject matter," editor-in-chief H.J. Kaplan stated in the charter issue of *Geo*, *A new View of our World*, "is . . . the human geography of our time." Human geography?

The charter *Geo* (160 pages, including twenty-nine four-color, full-page advertisements) appeared in January; the first regular issue is being dated May, after which it will appear monthly with a \$4 cover price.

The magazine is handsome, even elegant. The photographs—of which there are a great many—are generally first-rate. All of them are four-color and they are beautifully reproduced. (*Geo* uses the same printer as *Audubon*.) Used lavishly, they tend to overwhelm the articles, making them appear obsolescent appendages to the picture portfolios. Among the contributors to the charter is-

sue were Frances FitzGerald (on "the Anglo-Irish society from which her ancestors sprang"); Leslie Fiedler (on roadside art); Jeremy Bernstein (on a mountain climber); Richard Elman (on Nicaragua's civil war); Roger Caras (on condors); and Stanley Karnow in a cameo appearance (on China).

Exactly what the sum of these parts is supposed to be remains something of a mystery. Indeed, the magazine's identity has been a subject of dispute from the beginning. The publisher is Gruner + Jahr, the German firm which started a German *Geo* two years ago, a French *Geo* a few months ago, and recently acquired *Parents* magazine. According to Peter A. Young, managing editor at the time the American *Geo* was being planned, "There was a lot of pressure from the Germans to run a lot of gorgeous pictures—and to hell with the text." There was also pressure to use translations of articles ("a host of garbage") used in the German magazine. Young, who had been managing editor at *Saturday Review*, strongly resisted both pressures. He was fired last December. Charles C. Randolph, listed as publisher in the charter issue (he was formerly publisher of *Business Week*), resigned in

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enough acceleration to merge safely with traffic when entering a freeway, enough pick-up to cross a street quickly after heeding a stop sign, and in most models, even enough power to haul a trailer weighing up to 1,000 pounds.

Standard engines cost less than bigger, optional engines and get better gas mileage, especially in city traffic. There is no difference in durability between standard and optional engines. However, to get the most out of any GM engine, follow the maintenance schedule in the GM Owner's Manual. And remember, please, that small engines are as durable as large engines only if you give them the same care.

There are some reasons for choosing larger, optional engines: if you intend to carry six passengers and luggage with any frequency, if you intend to haul a trailer over 1,000 pounds, and if you expect to drive often in hilly terrain. For people who drive mainly in altitudes over 4,000 feet we offer a special high-altitude package, including a larger engine, to ensure satisfactory performance.

Finally, your own sense of how a car should "feel" must be the deciding factor. GM dealers have cars that

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accounts for almost one-third of the increased construction costs.

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Each permit takes time—lots of it—especially when the

regulatory process is deliberately used as a weapon in efforts to block projects.

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We're not saying, "Down with regulation!"—far from it. A nation such as ours, as utterly dependent on energy as ours, *must* regulate its utility industries . . . sensibly. But let's be aware that regulation, like everything else, bears a price tag.

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February, also as a result of the German-American conflict. A new managing editor, Robert C. Christopher, a former editor of *Newsweek International*, took over on April 23.

In the charter issue, the Germans appear to have settled for a compromise—lots of gorgeous photographs, as noted, and texts by respected domestic authors tucked in here and there. According to observers in and out of office, the conflict remains unresolved. Such are the pressures that shape human geography.

J.S.

Global supplement

WorldPaper is an ingenious idea that sprang, according to the account in its first issue, from the mind of Harry B. Hollins, co-founder of the Institute of World Order, one day in September 1976 when he was gazing out his window at the Atlantic. Now Hollins is the chairman of the board of his idea made manifest—a quarterly supplement “for the global community” distributed, in its inaugural issue, by nine newspapers with a total circulation of 1.3 million. They include two in the United States—the *Minneapolis Tribune* and *The Boston Globe* (former base of the publisher, Crocker Snow, Jr.)—two in the Middle East, two in Asia, and one each in South America, Africa, and Australia.

The content of the paper is supplied to a considerable degree by twelve associate editors, one of whom, Tarzie Vittachi, a United Nations public-information officer, edited the inaugural January 1979 issue. The selected theme was one of great relevance to the paper—“information malnutrition.” It included a thoughtful, too-short introduction by Vittachi, interviews with four families on their news diets, a scrapbook of quotations on the international news flow, and the inevitable interview with Marshall McLuhan.

The paper’s credo says that it “views our world as one of vast imbalances which can be more gently balanced only as global perspectives become clearer.” It is an unhappy duty to report that *WorldPaper* in its present format probably will do little to make anything clear. It is a bit of a mess. Advertising is hard to distinguish from editorial matter, in part because the designer seems to be intent on trying something different on every page. Moreover, the material, while promising, is cut short and even trivialized, as if the editors feared worldwide ennui. Fortunately, with a quarterly pub-

lication schedule, there is ample leisure for adjustments which could make this experiment in international journalism worth continuing.

J.B.

BUSINESS

A fifty days’ war: McGraw-Hill and American Express

In the publishing field, McGraw-Hill, Inc., with 1978 revenues of more than \$760 million, can be considered a rather large fish. But out in the open seas of conglomeratism it is only a piece of bait. So the betting ran very much against McGraw-Hill when it decided to try to stay out of the maw of American Express, the credit-card, traveler’s-check, and insurance company, which is at least five times the size of McGraw-Hill.

That McGraw-Hill proved such prickly prey can be laid in part to its long family tradition. The company was formed sixty-two years ago with the merger of two trade-magazine enterprises, that of James H. McGraw, founded in 1899, and that of John A. Hill, founded in 1902. The founding McGraw remained chairman until 1935, and his descendants have been in charge ever since, although family members now hold only slightly more than 20 percent of the stock. The company’s recent rebound from hard times has been led by Harold W. McGraw, Jr., a grandson of the founder.

The struggle with American Express began in earnest on January 8, 1979, with a meeting between Harold McGraw and James D. Robinson 3d, chairman of American Express. Reports on what happened vary, but the result was an offer by American Express to pay \$34 a share—a total of \$830 million—for McGraw-Hill’s stock, a premium of \$8 over the market price. McGraw reacted

negatively and was backed by the company board. McGraw wrote to American Express that it “lacks the integrity, corporate morality, and sensitivity to professional responsibility essential to the McGraw-Hill publishing, broadcasting, and credit rating services relied upon by so many people.”

This was the opening of a defense whose aggressiveness seemed to throw American Express off balance. McGraw played on three themes: that the merger would lead to a number of antitrust violations; that American Express had acted unethically in leaving its president, Roger H. Morley, on the McGraw-Hill board, while the acquisition was being plotted; and, finally, that American Express would fail to protect the integrity of McGraw-Hill’s editors.

The last point was argued sharply in a memorandum released by Lewis H. Young, editor-in-chief of *Business Week*, premier magazine among McGraw-Hill’s two-and-a-half dozen. Young voiced five concerns:

That American Express would taboo certain story subjects, such as the troubles in the entertainment credit card business or problems in the casualty insurance industry, because it had major business activity in them.

That, if American Express allowed coverage of such subjects, our readers wouldn’t believe what we published, thinking it was biased in favor of the owner of the magazine.

That American Express wouldn’t support the editors after they had written unpopular ideas or critical stories that unleashed corporate or government complaints.

That American Express would use the editorial columns of the magazine to sell its other products and services or to curry favor with government officials to aid its international businesses.

That American Express, because of its financial orientation, wouldn’t make the financial resources available for the staff to do the aggressive and comprehensive reporting job our readers expect.

This classic statement of journalists’ fears about conglomerates blinked at the fact that *Business Week* was already part of a publishing conglomerate known as McGraw-Hill, Inc., and was not exempt from corporate pressure. As Chris Welles reported in *New York* for November 14, 1977: “*Business Week* . . . is an independent editorial product run by editors and writers. But . . . working editors are generally excluded from the higher corporate echelons of McGraw-Hill. . . . The consequence has been a long-standing tug-of-war, with the editors trying to pull *Business Week* away

REPRINTS

Because of the demand for additional copies of Nick Kotz’s piece in the March/April issue (“The Minority Struggle for a Place in the Newsroom”), the *Review* has reprinted it for bulk distribution by press associations, journalism schools, and other interested parties. Reprints are 80¢ each for up to 9 copies and 60¢ each for orders of 10 or more. Please enclose a check or money order with your request to Reprints, Columbia Journalism Review, 700A Journalism Building, Columbia University, New York, N.Y. 10027.

from the McGraw-Hill corporate structure and the top executives trying to pull the magazine back into the fold and make it behave like everyone else."

Nonetheless, the integrity plea, more than any of the others, seemed to work. There was a flurry of articles and pronouncements. The Authors Guild, the Federal Trade Commission, and even some potent congressional investigators also expressed concern.

American Express fought back as best it could. It replied that it understood editorial integrity perfectly well, for it had publications of its own, such as *Travel & Leisure*. It also offered to set up a buffer board to protect McGraw-Hill magazines, much as *The Economist* of London is protected by trustees.

By the end of January, it began to appear that McGraw-Hill might escape. On January 30, American Express gave up trying to take McGraw-Hill by force. If McGraw-Hill would give up its "scorched earth" policy and cooperate, said American Express, it would raise its offer to \$40 a share, nearly \$1 billion overall. The McGraw-Hill board again turned down American Express, which then gave up the battle.

Robinson claimed that his company could have won if it had wanted to wage a long fight, but, he added, "we'd have gotten a shell and certainly not the company we wanted to buy." J.B.

WORKING

More jobs

The Newspaper Fund, Dow Jones's foundation that encourages careers in journalism, has made its annual report on hiring of journalism-school graduates. The fund estimates that in the graduating class of nearly 16,000 almost 62 percent took media-related jobs (including public relations and advertising positions), with almost half of these going to daily or weekly newspapers or wire services. About 20 percent went to non-media jobs, and the rest were still looking at the time of the survey. Among those who prepared for news work, 48.4 percent found news jobs; however, as the fund points out, less than half of the

graduating class (roughly 44 percent) was majoring in news/editorial sequences. The median starting salary for those in news work remained at the level of the previous year, \$161-170 a week. The median for all graduates was \$171-180 a week, with public relations topping the list at a level of \$201-210. For the first time in this survey, women outnumbered men, 53.2 percent to 46.8 percent.

Holding the line at AP

Although it did not match the wage freeze won by U.P.I. negotiators last year, The Associated Press held the Wire Service Guild to wage increases of 5 percent and 4.76 percent for each of the two years of a contract signed January 26, 1979. Maximum guaranteed levels would be \$430.50 in 1979 and \$450 in 1980. There would be additional increases if the Consumer Price Index rises more than 8 percent by January 1980. The A.P. also undercut various union practices by gaining contract provisions that make it easier for members to cancel their dues checkoff and leave the union and by setting time limits on filing grievances. A management demand that a hundred jobs be cut from Guild jurisdiction was left to the determination of the National Labor Relations Board. The Guild's A.P. membership accepted the agreement with reluctance, 339 to 200.

HONORS

Best of the books

The 1979 National Magazine Awards, sponsored by the American Society of Magazine Editors and administered by Columbia's Graduate School of Journalism under a grant from the Magazine Publishers Association, were announced on April 11. The winners, chosen by a twelve-judge panel from finalists winnowed from the 578 entries:

Public service: to *New West*, for "Hell on Wheels" by Moira Johnston, an investigation of the defects in Firestone 500 steel-belted radial tires.

Specialized journalism: to *National Journal*, for three issues exemplifying

the magazine's specialized coverage of federal policy and politics.

Visual excellence: to *Audubon*.

Essays and criticism: to *Life*, for "The View from 80" by Malcolm Cowley, 80.

Fiction: to *The Atlantic Monthly*, February issue, for "Oh, Joseph, I'm So Tired" by Richard Yates.

Reporting: to *Texas Monthly*, for a collection of reports on rural America by Richard West.

Service to the individual: to *American Journal of Nursing*, for a home-study feature, "Common Problems in Managing Adult Diabetes Mellitus."

Single-topic issue: to *Progressive Architecture*, for a feature devoted to "Taste in America."

AUXILIARIES

For appearances' sake

Two quivers of interest in the often-neglected field of newspaper design:

□ The organization in January 1979 of a Society of Newspaper Designers. The society, which grew out of an American Press Institute seminar in 1978, set long-term goals of sponsoring a newspaper-design competition, establishing a resource center, and encouraging newspaper-design courses at schools of journalism. Its first project will be a workshop, tentatively set for Chicago in the fall. Contact: Robert Lockwood, art director, *Allentown Call-Chronicle*, P.O. Box 1260, Allentown, Pennsylvania 18105.

□ The establishment of *Newspaper Design Notebook*, an independent, privately run bimonthly newsletter, whose editor and publisher is Roger F. Fidler, a graphics director/consultant for the Knight-Ridder Newspapers. The first issue, dated January/February 1979, contains an interview with Peter Palazzo about his controversial design for the moribund *Chicago Daily News*; illustrated spreads on design changes at the *Toronto Star* and the *Louisville Courier-Journal*; and how-to advice on handling photographs and using computers in typography. Subscriptions at \$28 a year are available from Source Publications, Inc., 3101 Cadillac Tower, Detroit, Michigan 48226.

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253. *The Adventures Of Sherlock Holmes and The Memoirs Of Sherlock Holmes*. A. Conan Doyle (2 Vols.) Illus. QPB: \$7.95

297. *The Juniper Tree And Other Tales From Grimm*. Translated by Lore Segal and Randall Jarrell Pictures by Maurice Sendak Hardcover: \$15 QPB: \$4.95

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489. *A Night To Remember*. Walter Lord. Illustrated Edition. Hardcover: \$12.95 QPB: \$5.95

491. *The Golden Bough: A Study in Magic and Religion*. Sir James George Frazer, F.R.S., F.B.A. 1 Volume, Abridged Edition. Hardcover: \$12.95 QPB: \$7.95

347. *What Color Is Your Parachute? A Practical Manual for Job-Hunters & Career Changers*. (1978 Revised Edition) Richard Nelson Bolles. QPB: \$4.95

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PUBLISHER'S NOTES

Change of command

This issue marks a period of change at Columbia Journalism, with the advent of both a new dean and a new editor of the *Review*. Elie Abel, dean of the Graduate School of Journalism and editorial chairman of the *Review*, departed April 2 to pursue full-time teaching, research, and writing at Stanford. Replacing him is Osborn Elliott, former editor of *Newsweek* and a former deputy mayor of New York City.

We salute Elie Abel for his many substantial contributions to the School and to the *Review*. And, as one who was once editorial director of *Newsweek* before a term as dean, the undersigned applauds the selection of the very able Osborn Elliott as new dean.

New editor

Of perhaps more direct concern to readers is the change in the editorship of the *Review*. Robert Karl Manoff succeeds James Boylan as editor.

First, the *Review* owes deep and lasting thanks to Jim Boylan. Working with the undersigned and others, he was a cofounder of the magazine. More important, he was its first editor and did the bulk of the work on the pilot issue eighteen years ago that laid the foundations for what has been achieved since then. Jim Boylan edited the magazine through its first eight years, then withdrew to devote full time to his work as a historian. Three years ago, he returned to the job temporarily to help out in a difficult period. He has done so with skill, wisdom, and a great sense of fairness. It is reassuring to know that he will still lend a hand as a senior consultant and part-time writer.

Rob Manoff, who is thirty-four, was chosen from a field of more than 100 applicants and nominees to succeed Boylan. His choice was recommended unanimously by a search committee of five faculty members and two *Review* staff members. The decision had the concurrence of former dean Elie Abel, of Osborn Elli-

ott, now the dean, and of the staff and publisher of the *Review*.

Manoff served as senior editor of *More* magazine in 1977 and 1978, and he has done work with the *Review* for the last five months. He has been a student of news media and news coverage throughout a career that has included freelance writing, newspaper work, a government position, and teaching at the Massachusetts Institute of Technology.

The staff and the publisher were heartened by the number of candidates for the editorship, and we are delighted that Mr. Manoff has accepted the position. He impressed all with his combination of initiative, skills, enthusiasm, and understanding of the news process.

In Rob Manoff's own words: "We hope to build on the *Review*'s accomplishments by freshly attacking such major threats to journalism as new marketplace demands, an impatient judiciary and public, and the profession's own shortcomings and excesses. We will also be paying renewed attention to the daily problems of producing good journalism. And we hope to do all of this with vigor, wit, and bite."

Government and news

The government-and-press issue flared up in two recent cases.

Concerning the Three Mile Island nuclear accident, perennial cynics were heard muttering: "The news media exaggerated the whole thing, of course." Our own view is that, given the confusion of officials' statements and their obvious groping for ways to avoid a catastrophe, the press and broadcasters on the whole provided responsible, even restrained, coverage.

We also had the case of government action to block publication of a *Progressive* magazine article about the hydrogen bomb. Not having seen the article, we shall not attempt any definitive judgment. We can say that some years as a Washington correspondent, and later as a government official, left us with a firm conviction: if official secrets are to be kept,

they must be kept within government. When they become known to reporters, they are likely also to become known to embassies and foreign intelligence operatives.

Another infallible?

Heartened by the sprightly appearance and content of the initial issues of the revived *Look* magazine, we were saddened by one aspect: its plan to have no "Letters" column and no ready place to publish dissents or corrections.

It's sad to see *Look* joining those magazines with pretensions to infallibility—the *Reader's Digest*, which doesn't acknowledge errors or injustices, and *The New Yorker*, which does so only on rare occasions.

Come, *Look*, join the rest of us who admit to an occasional goof—and to there being worthy dissents.

'Reporting Iran . . .'

The *Review*'s article "Reporting Iran the Shah's Way" (January/February) attracted substantial—and sustained—attention. The article, by professors William A. Dorman and Mansour Farhang (pseudonym: Ehsan Omeed), was based on a year-long research project that monitored U.S. news media coverage of Iran.

The article was reprinted in its entirety in the *Des Moines Register* and, in part, in the *San Jose Mercury* and the *International Herald Tribune*, and it has been translated into Farsi, Dutch, and Japanese. The authors were interviewed on National Public Radio, the BBC, the Canadian Broadcasting Corporation, and the *MacNeil/Lehrer Report*.

The piece was rather demeaned in *Time* by the usually perceptive Thomas Griffith, who, curiously, quoted derogatory remarks by two men whose organizations the *Review* article had criticized. At the same time, it was praised as "brilliant" by Jack Newfield in "Spectrum" on CBS Radio and by Anthony Lewis in *The New York Times*, who called it "a brilliant analysis." E.W.B.

How 80 Oklahoma newspapers joined hands to set themselves apart.

It started in the spring of '75 with a survey of advertisers' media buying considerations. Out of it grew the Oklahoma Newspaper Advertising Bureau — 80 daily and weekly Oklahoma newspapers (1300 to 24,000 circulation), banded together to gather and disseminate facts about readership, readership demographics and other marketing data. Their goal: increased readership and more of the revenue going to competitive media and other advertising vehicles. For details

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of their operation and its very encouraging results, contact Mr. Ted L. Hecht, Mgr., ONAB, 3601 North Lincoln Blvd., Oklahoma City, OK 73105. As the leading manufacturer of U.S. newspaper presses — and an enthusiastic supporter of ideas to keep our industry strong — we applaud ONAB's initiative. We mention it here in the

hope that some of you might find similar strength in their kind of unity. Graphic Systems Division, Rockwell International, 3100 South Central Ave., Chicago, IL 60650.



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Jobs

one view of a national issue facing the electric power industry.

The traditional goal of unlimited economic growth is being seriously questioned. In the backlash, the proposal for a no-growth economy is the extreme example of less-is-more thinking. But for those people in our society whose hopes for decent jobs and a better standard of living would be thwarted by a steady-state economy, less is irrefutably less.

Since energy is inextricably tied to economic growth and the resultant increased job market, we are vitally concerned with this debate. As public utilities, we must take a stand that we believe is in the best interests of all sectors of our society. To formulate our position, we undertook a two-year study, utilizing several computer forecasting models to examine the available growth options.

The study suggests rejection of both extremes: unlimited expansion and no-growth. The public interest can best be served through what might be called "quality growth"—a natural evolution of economic expansion that encompasses the constraints necessary to meet current energy problems but still permits the job opportunities that bring more of our citizens into the economic mainstream.

The historical perspective:

It is important to recognize that we are in a transitional period between two energy epochs, the fossil fuel age and the future energy era. Fuels are available to meet the world's predictable energy needs for billions of years! What we are short of is the technology to convert available fuel sources into working energy. During this transitional period, we must deal with the supply-demand gap by conservation and the greater use of abundant energy forms (coal and nuclear).

The GNP-energy-job link:

Because all business activities require energy, the use of energy rises in relation to the rise in Gross National Product. With an estimated 19 million new jobs needed in the next ten years to handle the projected increased work force, either the economy must grow or unemployment will grow. And if new

jobs are to be created, a reliable and growing supply of energy is vital. As you may know, a number of national organizations, such as the NAACP National Energy Conference, have recognized this necessity.

The high-growth and no-growth fallacies:

The high-growth scenario is plainly outdated, originating in times of favorable conditions that are unlikely to return again. Yet the no-growth scenario not only would entail massive employment dislocations, but it is profoundly pessimistic as well as selfish, taking a doomsday view of this transitional period between energy epochs. Our energy problems will entail major readjustments for years to come, but such readjustments are surely preferable to the authoritarian control of wages, prices and employment a no-growth scenario would necessitate.

The moderate stance:

The electric utility companies' study suggests generating an average economic growth rate in GNP of between 3.5% and 3.7% a year, which would retain an economy strong enough to sustain employment and preserve our standard of living. Only a vital economy can develop the capital resources necessary to keep our society afloat, including the \$650 billion that will be needed in the next 15 years to convert electric plants from oil to the more abundant coal and uranium fuels.

It would be a disservice to the public to suggest that the nation's electric companies, any more than the Congress or the Executive branch, have all the answers. Critical questions remain, and others will surely arise. But as the eminent British biologist Sir Peter Medawar has said, "To deride the hope of progress is the ultimate fatuity, the last word in poverty of spirit and meanness of mind."

Edison Electric Institute
The association of electric companies

COMMENT

Does 'The Progressive' have a case?

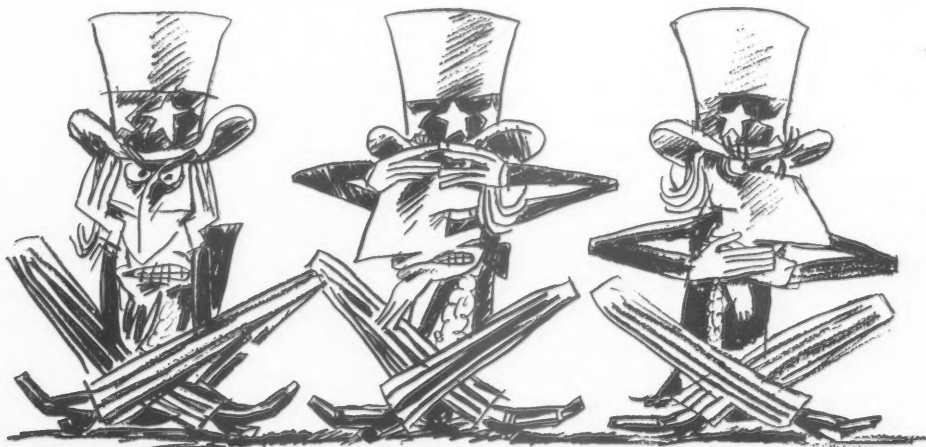
On March 26, 1979, a federal judge awarded *The Progressive* magazine its place in American constitutional history. In issuing an injunction intended to bar the magazine forever from publishing an article on the hydrogen bomb, Judge Robert W. Warren set a bundle of precedents.

If appeals should fail, this would be the first instance of a successful government effort to impose prior restraint permanently on a periodical in the interest of national security; it is already the first time that the Atomic Energy Act has ever been successfully invoked in court in restraint of the press. The case is thus a major test of whether an act of Congress can, in certain circumstances, nullify the First Amendment. Most important, the case thus far has confirmed government monopoly of the terms of a debate of paramount public interest.

Unfortunately, dispassionate argument of the case was overshadowed almost from the beginning by misinformation, hyperbole, condescension, and even censorship. Judge Warren hit the first sour note when, on issuing a temporary restraining order against *The Progressive* on March 9, he wondered idly whether the article in question might not help "give the hydrogen bomb to Idi Amin." In the next few days, the same newspapers that had pleaded so assiduously for their own rights in the Pentagon Papers case—the last major government effort to restrain the press in the name of national security—failed to see parallels in the *Progressive's* dilemma. *The New York Times* agonized, recognizing a serious constitutional question, but then

supported the restraining order. *The Washington Post*, in an extraordinary polemic headed JOHN MITCHELL'S DREAM CASE, advised *The Progressive* that no public interest was to be served in publishing the article and that, moreover, the case was "the one the Nixon administration was never lucky enough to get: a real First Amendment loser." The damage to press freedom if the case went before the Supreme Court, the *Post* warned, might be irreparable. A third paper involved in the Pentagon Papers case, *The Boston Globe*, took a similar position, but also gave currency to the misconception that *The Progressive* had tried "to goad the government into action" by seeking official review of the article. Nor were these newspapers alone: the *Los Angeles Times* called the controversy "the wrong issue, at the wrong time, in the wrong place"; Tom Bradbury of *The Charlotte News* called the editors "reckless in the extreme"; *The Atlanta Constitution* deplored *The Progressive's* "arrogance and mindlessness" and concluded that it could not "find it in our hearts to defend this kind of stupidity." (Some newspapers took less adamant positions: a few, such as the newspapers in *The Progressive's* home town, Madison, Wisconsin, supported the publication outright, while others waited to see whether the government would prove its case.)

If *The Progressive* had followed the preponderance of this first wave of counsel, it would have either killed its article or let the government delete such passages as it wished. For what was truly surprising about much of the comment was not that it failed to support *The Progressive's* positions—after all, the chief evidence, the article itself, was not available—



Tom Hachiman

but that it vehemently concluded that the magazine had no case at all. Was this annoyance that a small political magazine was trying to play the big fellows' game and might botch it? Was it fear, as *The Washington Post* suggested, of a First Amendment washout?

No, the reaction seemed to spring from something deeper, as if the magazine had violated a taboo, and touched on the untouchable. This is curious, to say the least, in an era when journalism has exposed in public print the inner secrets of the White House, the military, and the intelligence establishment. Yet there has been a silent understanding, of thirty years' duration, between government and press, that journalists will not test the boundaries of nuclear secrecy. So little have these boundaries been challenged that *The Progressive*, in scheduling Howard Morland's investigation of the hydrogen bomb, apparently did not know until the last moment that the taboo was written into law.

The *Progressive* was brought into court under two provisions that were first written into the Atomic Energy Act in 1946. One sets punishment for anyone in possession of "Restricted Data" who "communicates, transmits, or discloses the same to any individual or person"; the other authorizes the government to seek an injunction when it thinks anybody has violated or is about to violate any part of the law.

The injunction paragraph, which became in 1979 the instrument of prior restraint, was written into the law simply because it was an enforcement device that regulatory bodies had found useful. It did not refer specifically to the press, or even to the control of information.

The other, and more important, paragraph fixed official policy on atomic-energy information for the next three decades. It is worth examining its origins because, in a curious way, *The Progressive* has now become the victim of the tensions and doubts of those feverish months after World War II.

Within six months after the atomic bomb had ended the war with Japan, Congress was engaged in trying to write legislation that would set policy on nuclear weapons and atomic-power development. The debate is now remembered chiefly for establishing civilian, rather than military, control of the atom. But there was also an intense debate over secrecy—whether the new law ought to try to safeguard the secrets of atomic weaponry, and whether it could do so. The military wanted strict controls on information, analogous to those that had governed atomic development during

the war; the scientific community, believing all secrets to have short lives, supported open dissemination and exchange of information.

The original draft of the bill introduced by Senator Brien McMahon of Connecticut reflected the scientists' views. It called for dissemination of information with "the utmost liberality," and left any punishment for disclosing information illegally to the Espionage Act, the World War I legislation that was later employed to convict Julius and Ethel Rosenberg.

But before the bill got out of committee, the climate had changed. In February 1946, the country underwent its first atom-spy scare, the revelation of Soviet espionage involving Canadian scientists who had had access to the American projects. The legislation reached the floor much transformed, with the new Atomic Energy Commission given broad authority to control "restricted data" and with severe penalties—including a peacetime death penalty that remained in force until 1969—added for revealing such data.

Of this transformation, James R. Newman and Byron S. Miller, who had drafted the original bill, wrote: "These unprecedented provisions . . . can be ascribed only to superstitious dread. Terror of the atomic bomb is natural and understandable—perhaps even healthy—but terror at the loss of the 'secret' is a tribal and superstitious fear that, once gaining ascendancy in our minds, must inevitably weaken rather than strengthen our defensive power as a nation."

Did this new secrecy system pose a potential threat to the press? Newman and Miller offered hints that it might. For one thing, the restrictions applied to private individuals as much as to government employees; for another, prosecution did not require proof of evil intent, but only "reason to believe" that release of information might harm the United States. Finally, they anticipated that the government might try to control information that had already been released or not withheld—the very "classified-at-birth" theory that the government offered in the *Progressive* case. Such censorship, Newman and Miller thought, would be unconstitutional.

Nonetheless, within five years, just such censorship had been exercised. The respected *Scientific American* (as its publisher Gerard Piel has recently disclosed) agreed to deletions before it published an article by physicist Hans A. Bethe in 1950 on the hydrogen bomb. Only years later did the magazine find that the deletions removed material already published, some of it in the pages of *Scientific American* itself.

For the most part, though, the press was not inclined to test the Atomic Energy Act's restrictions. So

respectful were journalists of these boundaries, in fact, that Herbert S. Marks, first general counsel to the Atomic Energy Commission, wrote in 1948: "The press and the publishing industry have apparently accepted the principle that whether or not the Act, strictly construed, applies to unofficial as well as official secrets, they will publish nothing in the face of advice by the commission that the publication would be prejudicial to the national security. In short, for practical purposes, they seem to have accepted in the field of atomic energy an arrangement somewhat similar to the one which existed more generally during the war under the Office of Censorship."

And so it has gone for more than thirty years, with no major news organization cutting close enough to the heart of nuclear secrecy to risk prosecution. And so it was left to *The Progressive* to trigger the mechanism, a rusty old machine built at the dawn of the Cold War.

The Progressive has thus found itself challenging an established consensus—the belief that, so far as nuclear weaponry is concerned, the public doesn't need to know what the press doesn't want to know.

There should be no mistake about the character of this contest. It is political in nature, not technological and perhaps not even journalistic. The magazine's decision to publish was a political act. And as the battle of affidavits was waged before the March 26 ruling, it became clear that the government's response, too, was largely political.

It was this realization that apparently shook *The New York Times* to life on March 25. In a lead editorial, the *Times* offered the clearest statement to date of *The Progressive's* right to carry on its battle. The *Times* editorial found the administration case "lame in both logic and in law." It continued:

... the administration asks for more than suppression of this article. It asks that all thought and discussion bearing on atomic weapons be forever in its control. . . . The article may be an embarrassment and [an] inconvenience; it may even be harmful to policy. But those are not judgments that Government may impose on editors. They plainly do not justify suspending the First Amendment.

The judge, if he read it, did not heed this admonition, and now the case has begun to move slowly (not, it will be noted, with the breakneck pace of the Pentagon Papers case) through the federal courts. In the end, perhaps, the magazine could still lose its case. But at least there is growing recognition that it has raised valid, and important, First Amendment questions.

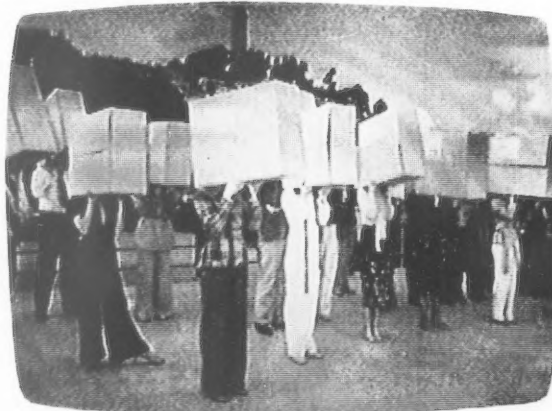
What is more, the case offers the opportunity for the country to begin dismantling a system of nuclear secrecy written for a world that no longer exists. And for the press once again to realize that instruments designed to curb the free dissemination of information by others can always, ultimately, be turned against the press itself.

April 13

Darts and laurels

Dart: to the Michigan Press Association, for literally swallowing a government handout. The annual "loot" dinner thrown for the M.P.A. by the state's agriculture department January 27 featured mounds of yogurt, frankfurters, baby food, soy nuts, apple cider, apples, cherry fruit filling, muffin mix, bacon, vitamins, pickles, onions, potatoes, blue spruce seedlings, blueberry preserves, and bathroom cleaner for the guests to carry off in thirty-pound doggie bags.

Dart: to Joe Murray, editor of the Lufkin, Texas, *News*. As the star of a one-minute vignette (for a \$1,000 fee) in Mobil's "Imagination" TV-ad campaign, the "Pulitzer-Prize-winning newspaperman" apparently failed to imagine what boosting the oil company's credibility might do to his own.



Dart: to WETA-TV, the public broadcasting station in Washington, D.C., for allowing technical difficulties to interrupt *We Interrupt This Week*, the satiric quiz show on current affairs, during its local airing March 4. The inadvertent push of a control-room button obliterated nothing more (and nothing less) than panelist Jeff Greenfield's five-second answer to a question about the identity of the eclipse-watchers in the above photo. "Those are the only people," his deadpan reply had run, "willing to admit they're for Jimmy Carter in 1980."

continued

Dart: to Bob Sudyk, sportswriter for the *Cleveland Press*. His December 1977 piece in *Cleveland* magazine on locker-room gossip lifted most of its substance from an article on the same subject by Roy Blount, Jr. published in *Esquire* sixteen months before. (Original sample: "But sports gossip that is both juicy and printed is rare. One reason is that a lot of sports gossip is about the clap." Sudyk's replay: "But sports gossip that is both juicy and printed is rare. One reason is that a lot of sports gossip is about—this is a fact—the clap.")

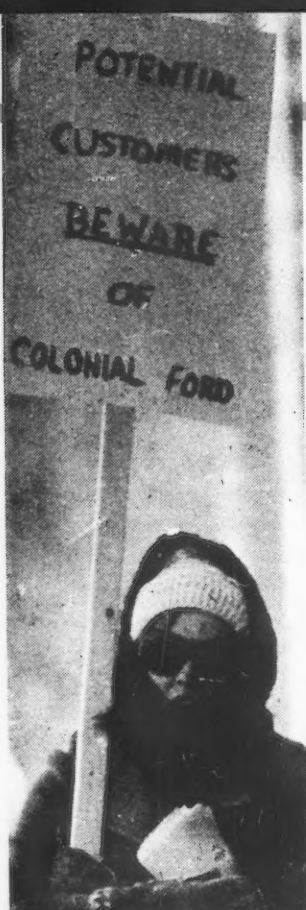
Laurel: to the Fairbanks *Daily News-Miner*, for a twenty-four-page special supplement (March 9), "Carving Up Alaska," an exhaustive examination of the intricate issues involved in the controversial subdivision of America's final frontier.

Dart: to the *Savannah Morning News and Evening Press*. Its edition of Sunday, February 11, carried a report on a bill then before the legislature aimed at taking legal advertising away from a local weekly and returning it to the *News and Press*. The same edition also featured a puffy page-one profile of state representative Albert Scott—who happens to have been the bill's sponsor. "He is well liked here," ran the fifty-five-inch piece without apparent irony. "And, perhaps most importantly, he has learned how to handle the news media to his best advantage."

Laurel: to *The Saginaw* (Mich.) *News*, for a front-page exposé (February 7) of racial steering by local real-estate firms based on the experiences of two teams of *News* reporters, one black, one white, who posed as out-of-state, middle-income, professional couples in search of housing in the Saginaw area.

Dart: to *Chicago Sun-Times* columnist Mike Royko, for a February 22 column in which he coyly referred to an attempted gang rape of a seventeen-year-old girl as a "frolic" in the woods. (And a follow-up *dart* to the *Sun-Times*, for failing to print letters of protest in the matter.)

Laurel: to *The Washington Monthly*, for cockily celebrating its tenth anniversary with a brilliant satire on its own style, methods, and political philosophy—a six-page mock ad by Art Levine in the February issue, "Have You Got What It Takes to Write for *The Washington Monthly*?" (Excerpt: "Our top-notch editors will be glad to add an introduction, a conclusion, and loads of thought-provoking opinions without troubling you with the dreary task of doing it yourself. As a special favor, we'll do it without even telling you.")



Dart: to the Danbury, Connecticut, *News-Times*. The assistant copy-desk chief who ran this picture in the February 18 Sunday edition was fired the next morning for "a gross lapse in judgment." The photo appeared at the end of a week in which the paper had been arranging for favorable coverage to soothe boycotting advertisers offended by its earlier used-car consumer guide.

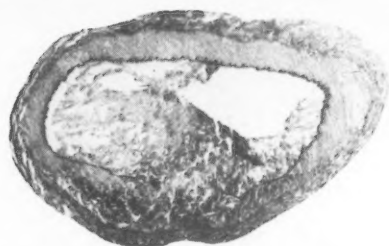
Laurel: to the forty-five journalists at the *Minneapolis Tribune* who took out an ad at regular rates in the March 1 issue to dissociate themselves from the involvement in a local stadium debate of John Cowles, Jr., chairman of the *Star and Tribune's* board.

Dart: to *The Jersey Journal*, Hudson County, New Jersey, for fatuously recording in a six-column interview (with photo) on February 9 the observations of a local merchant following his return from a week's vacation in Egypt. Also carried in the same edition was a full-page ad for the man's furniture and appliance store.

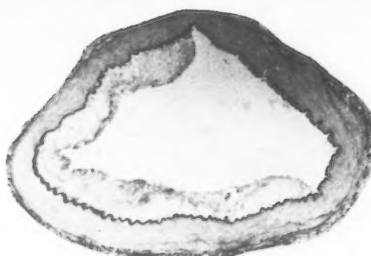
Dart: to the *Providence Evening Bulletin*. Two days after his February 13 piece on the grand opening of the lavishly renovated, extravagantly priced Biltmore Hotel, WELCOME TO THE BILTMORE! P.S. BRING MONEY—PLENTY, columnist Tony Lioce was told to check into the paper's Newport bureau as a general-assignment reporter. The *Bulletin* was a major investor in the Biltmore project.

Dart: to syndicated film critic Rex Reed, for a lyrically transported *Superman* review that neglected to mention his own brief walk-on with Lois Lane in front of the *Daily Planet* building. "It is a marvel of stupendous filmmaking," gushed Reed, who picked up a few thousand dollars for his fleeting cameo. *Superman*, he wrote, "should still be reaping financial rewards for all concerned in years to come."

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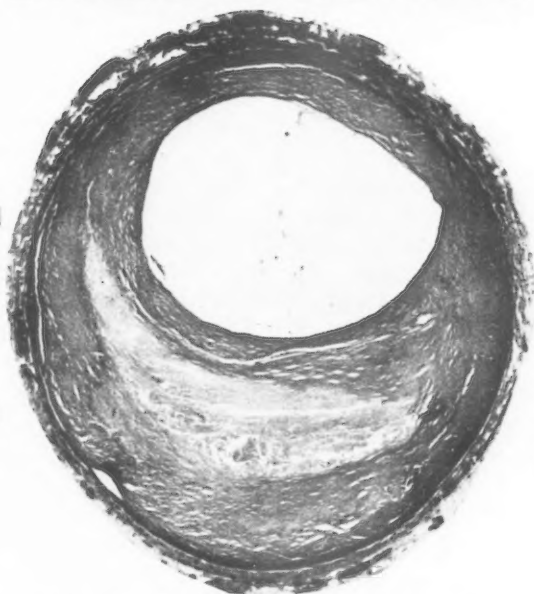
Cross-section of a severely clogged coronary artery of monkey fed a high-cholesterol diet. Extensive vessel wall damage indicates atherosclerosis.



Coronary artery of monkey fed an identical diet, but provided with cetaben, one of several new compounds being tested by heart researchers at Lederle Laboratories. Virtually no vessel wall damage, minimal atherosclerosis.

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and similar research to find out. It takes enormous scientific resources and financial commitment, but victory means lengthening the lives of some of the 850,000 Americans who die of heart disease every year.

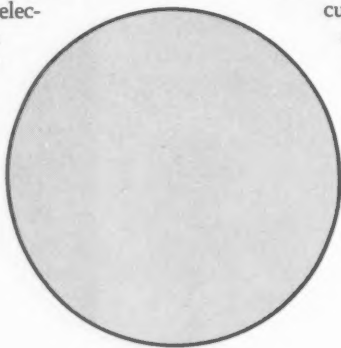
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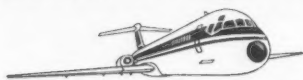
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Solar One, America's first sun-powered electric generating plant, will be built near Barstow, California, for the Department of Energy from a design developed by McDonnell Douglas. Computer-controlled mirrors follow the sun across the sky, focusing its rays on a tower-mounted boiler. The steam produced drives turbines to produce electricity. Excess heat is channeled to an underground oil-rock "storage battery" to keep the plant working even after the sun has set. Solar One is expected to generate enough electricity for a community of up to 10,000 people.



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An exemplary death

How Rockefeller died was a running story in New York.
Was this interest prurient or principled?

by SANFORD LEVINSON

Leaders play multiple roles in a society; their importance goes far beyond simply providing decisions about public problems. They become sources for the collective understandings and psychological bonds that define communities. And leaders are also made responsible for teaching their fellows about the right way to confront the full range of human dilemmas.

What is often derided as political style may in fact be one of the essential attributes of leadership. What Kennedy devotees referred to as "grace under pressure" was a central part of John Kennedy's ability to convey a sense of American possibility. The personal and the political became linked. However dangerous it is to replace emphasis on substance with one on style, it is an accountant's view of politics that would ignore the independent importance of the persona revealed behind the substance.

Journalists have long argued about the extent of coverage that ought to be given the personal qualities of public figures. By now there is general agreement that such qualities need to be covered whenever they could affect public decisions or otherwise reveal character traits bearing on public performance. Drinking is the easiest example of behavior that can have civic consequences. There are few journalists left who defend the coverup of heavy drinking by public officials.

Sexual conduct raises more complex problems. The strongest case for coverage can be made when sexual conduct might be evidence of significant psychological traits, such as when compulsive sexual conquest indicates a compelling need to prove masculinity. A discreet affair is seen to be much less revealing and deserves mention only if the official has made the propriety of his or her personal life an issue—by presenting an attractive family picture in campaign literature, for example, or by otherwise creating the appearance of family-centered life.

Despite such beliefs about the coverage of public

Sanford Levinson, a lawyer, teaches in the politics department at Princeton University.

figures, however, the proposition is also accepted that upon retirement they should be allowed to retreat into the world of ordinary citizens, where the ethical (and perhaps legal) barriers to coverage of personal behavior are higher. Even here, though, there are problems, since writers analyzing the careers of former officials may well wish to explore the link between their personality and the decisions they made. Since ex-leaders often continue to play an inspirational role, moreover, biographers also count on the fact that their readers want to read intimate things about the figures they admire. Both motivations seemingly license "invasions of privacy" in the name of scholarship. "In recent years we have been given to understand that Jefferson, FDR, Eisenhower, John Kennedy all had extamarital adventures." Arthur Schlesinger, Jr. has noted, "These are proper questions for a biographer to go into after a suitable passage of time."

What Schlesinger does not explain is the necessity of waiting for "a suitable passage of time." If, in fact, the material is relevant at all, why is it not relevant immediately, whether during the lifetimes or immediately after the deaths of public leaders?

How Rocky died

These speculations are provoked, of course, by the controversy surrounding the coverage of Nelson Rockefeller's death. The lead story of every New York newspaper (and many others as well) on January 27 reported it. The headlines indicated not only that he died, but also the circumstances in which he did so. Thus the second deck beneath the two-inch-high headline **ROCKY DEAD** in the *New York Post* stated that he had collapsed with a heart attack while **WORKING ON NEW BOOK**. The *New York Times* also revealed the cause of death in the second deck (**HEART ATTACK VICTIM**) and described the circumstances in only slighter smaller type below: **STRICKEN IN NEW YORK OFFICE WHILE WORKING ON A MODERN ART BOOK**.

Both stories were based on a statement released by Hugh Morrow, "a longtime Rockefeller family



The night it happened:
Megan Marshak
(center) watches as
medics try to revive
Nelson Rockefeller

spokesman." "He was in excellent health," Morrow had said. "His proud boast was that he only had missed three days of work in forty years." His last day had been suitably busy; indeed, after a family dinner, Rockefeller "returned to his office in Rockefeller Center. He was working on his book about his modern art collection. He was stricken and died, apparently instantly," about 11:15 p.m. The stately *Times* included an additional comment of Morrow's: "He was having a wonderful time with the whole art enterprise. He was 'having a ball,' as he put it."

We now know, of course, that practically every one of the alleged facts asserted in the passages just quoted was false. He was not in excellent health, he was not at his Rockefeller Center office, he likely did not die instantly. There is also no evidence that Rockefeller was working on a book that evening. Instead, as the world found out via a long, authoritative story by Robert McFadden of the *Times* on January 29, Rockefeller was at his townhouse on West 54th Street and was stricken while in the company of a young aide, Megan Marshak. According to the *Times* account, Marshak had joined Rockefeller around 9 p.m.; she had been wearing "a long black evening gown."

Subsequent stories revealed that Rockefeller had suffered his attack an hour earlier than Morrow had indicated, and that medical help had not been summoned for sixty-one minutes—and then by Ponchitta Pierce, a friend of Marshak's. "There was some food on the table and a bottle of wine," one of the paramedics told *Daily News* columnist Jimmy Breslin. "There were no books or papers or anything like that. I know he had some wine. It was in his stomach." Breslin's reporting was typical of the *News's* and the *Post's* more aggres-

sive coverage of the Rockefeller-Marshak relationship. The *Post* alleged she was being paid \$60,000 a year for her services as an assistant on his art projects. Both papers highlighted the fact that Rockefeller had helped pay for her apartment (his will forgave a \$45,000 loan for that purpose) and that he had been a frequent caller there. The *Daily News* tracked down a source who reported that he had always sent flowers before his visits. To put it mildly, a different picture of the circumstances surrounding Rockefeller's death was emerging, and a debate has ensued about the propriety of the press coverage that was responsible.

Harriet Van Horne, writing in the *Post*, felt compelled to confess feeling "downright smutty poring over every last detail of Nelson Rockefeller's death," and she referred to "this morbid, slavering curiosity over the former Governor's final hours." She also took note of "the prurient—and generally unvarying—theories of what caused the fatal heart attack" and the "insistently ribald interpretations of Megan Marshak's one-hour delay in summoning an ambulance to Rockefeller's townhouse."

Defending *Times* coverage to the *Soho News*, a spirited local weekly, metropolitan editor Sydney Schanberg told Jane Perlez that "The time of the heart attack goes directly to whether [Rockefeller] could have been saved." But however much this explanation accounts for the interest in determining how long it took to summon help, it scarcely explains the *Times's* curiosity about such details as what Marshak was wearing, let alone the scope of the *Post* and *News* coverage. Had there been widespread suspicion of foul play, on the other hand, a painstaking reconstruction of each

minute of that evening would certainly have been called for. No one, however, has seriously suggested foul play. What, then, accounts for the detailed coverage? What drove the press to wrench aside the veil of privacy that Morrow had so carefully drawn around the vice president's last moments? And should it have done so?

Waiving the claim

Let me suggest that the answers lie in the way that Morrow's statement, consciously or not, operates as an attempt to manage the presentation of Rockefeller's death in a manner that itself—like the politician's use of his or her family as a campaign tool—waived any claim to privacy. Morrow's remarkably false description of Rockefeller's death cannot be explained simply by a desire to spare Mrs. Rockefeller; the death was presented in a manner that would draw *favorable* notice to its circumstances, rather than the discreet inattention they might otherwise have merited.

The key statement in this respect was Morrow's claim that Rockefeller was working on a book about modern art on the night of his death. Had he simply stated that Rockefeller had died at a given time and place, without elaborating each detail, it would have been both less interesting to pierce the veil and more difficult to justify doing it. In the absence of deception, that is, I am inclined to agree with Arthur Schlesinger that the public would not immediately have needed all the information it got.

But Morrow's statement contained fabrications implicitly suggesting that Rockefeller's death conveyed a public message: Here was a man, fabulously wealthy, who consistently subordinated private pleasure to higher duties. Not only did he die at work, but the work itself reflected Rockefeller's involvement in the edifying world of high culture. He died, we were asked to believe, while performing his role as a public educator. One might best analogize the Morrow statement to a piece of medieval iconography, in which the respected leader is depicted facing death in a way that will instruct us how to confront our common fate.

The lesson is that one is never too old or too rich for hard work—work made estimable through the doctrine of stewardship and public service central to the Protestant ethic which Rockefeller embodied. The *Daily News*, for one, took the message to heart. "It was typical of Nelson Aldrich Rockefeller's life," ran a January 28 editorial (written before McFadden's piece appeared), "that death, when it came on Friday night, found him hard at work. Idleness was one luxury of the rich that Rockefeller steadfastly disdained."

Delivering the eulogy for Hubert Humphrey last year, Walter Mondale listed as Humphrey's last public service that "He taught us how to die." Even though we don't ordinarily think of such teaching as a function of public leadership, Mondale grasped the reality of the complex demands we make on our leaders. So too did Morrow, the longtime Rockefeller emissary to the me-

dia, who instinctively tried to enlist the press in an effort to make Rockefeller's death exemplary.

For many years Morrow had seen journalists acquiesce in presenting the Rockefellers as they saw themselves—selfless public servants who merely happened to enjoy great fortune. The Rockefellers had helped to found the American public relations industry over sixty years ago, in fact, when Ivy Lee devoted his energies to obliterating the identification of the Rockefeller name with such events as the 1913 Ludlow, Colorado, coalfield massacre. Since then they had pursued a largely successful effort to mask the fact that the family has enjoyed great power in American society, which it has often used, directly and indirectly, to further its own specific interests.

Not the least irony of the *Time's* coverage of how Rockefeller died, indeed, is the fact that the paper had rarely reported so well on how he lived. As Peter Collier and David Horowitz point out in *The Rockefellers*, there was little coverage, for example, of the budgetary legerdemain of "moral obligation" bonds (invented with the aid of John Mitchell), by which New York State plunged into spectacular debt during his governorship; of the billion-dollar Albany Mall project; or of the state's decision to rent much of the space in the World Trade Center, a complex conceived at least in part to promote David Rockefeller's renewal of Manhattan's Wall Street area.

Morrow, then, perhaps can be excused for expecting one last act of cooperation from the press, so that Henry Kissinger might perhaps echo Mondale and be able to note that Rockefeller, too, "taught us how to die." But this time he overreached by manufacturing a wholly false description, requiring that the press not merely acquiesce as it had done in the past, but that it actively collaborate in the process of image management and public edification. But the press, this final time, refused to be conscripted.

Whatever the motives for this refusal—and the "slavering curiosity" noted by Van Horne was no doubt among them—it amounted to a rejection of the power that wealth has to transform reality in this society. "The extent of the power of money is the extent of my power," wrote Karl Marx of the alchemical abilities of the wealthy. "Thus, what I *am* and *am capable of* is by no means determined by my individuality. I am ugly, but I can buy for myself the most beautiful of women. Therefore I am not *ugly*, for the effect of ugliness—its deterrent power—is nullified by money."

In the final analysis, Morrow was simply asking for too much, as do all those who would make paragons of public figures. In order to make Rockefeller's death exemplary, he tried to elevate it to the status of a public spectacle and, so to speak, invite the press to witness it after the fact. By compromising the privacy of the event, however, he invited scrutiny of the moral claims he made for it. And, to its credit, this is an invitation that the press accepted. ■

The doomsday beat

Aviation Week, a defense community trade magazine, helps to set the national agenda. The daily press lends it a hand.

You are sitting in the office of a hero and a patriot. On the wall behind his desk is a large charcoal portrait of Lieutenant General Claire Chennault, commander of the 14th Air Force, the renowned Flying Tigers unit which fought the Japanese in China during World War II. The general's chin is squared like a concrete bunker and beneath it his signature dedicates this memento to Major Robert Hotz. Next to the portrait is a framed scroll awarding Hotz the Air Medal with oak leaf cluster for his outstanding service. Next to that is a distinctive flag of red-and-white American stripes emblazoned in the corner not with stars but with the white Chinese sun on a blue background. That sun is still the official symbol of Nationalist China. Members of the Flying Tigers wore the flag for identification across the backs of their flying jackets. This one was Robert Hotz's own. He flew a B-25.

A perfect photo of a fellow pilot's B-25, taken by Hotz during a combat mission, is displayed on the wall next to his desk. Bombs are falling from the weapons bay. Along the wall are photos of other aircraft, of combat targets taken by gun cameras, of missile tests, of generals and admirals and pilots and aircraft designers Hotz has known all over the world, together with dedications, souvenirs of air shows at Farnborough, Paris, and Tushino, and other records of historic moments in aviation, all of them marking milestones in the life of this man or recognizing the distinguished contributions he has made for the past three decades, first as editor and more recently as publisher of *Aviation Week and Space Technology*.

"Antonov sent me that," he says, pointing to a photo of an Antonov transport aircraft lifting off from a Soviet airfield. "He wrote on it: *Bob, you were there, you know how short this runway was.*" Another photo shows two young men with short, dark hair, one of them in an Air Force uniform. Hotz, who has a ruddy complexion and a shock of fine, white hair, points to it and says, "That's me, with Tom Powers, at a reception given by Marshal Zhukov at the Red Army Club in Moscow." The photo is dated June 24, 1956. Powers later became chief of our Strategic Air Command.

Tom Gervasi, a military analyst and former counterintelligence officer, is the author of Arsenal of Democracy: American Weapons for Export.

by TOM GERVASI

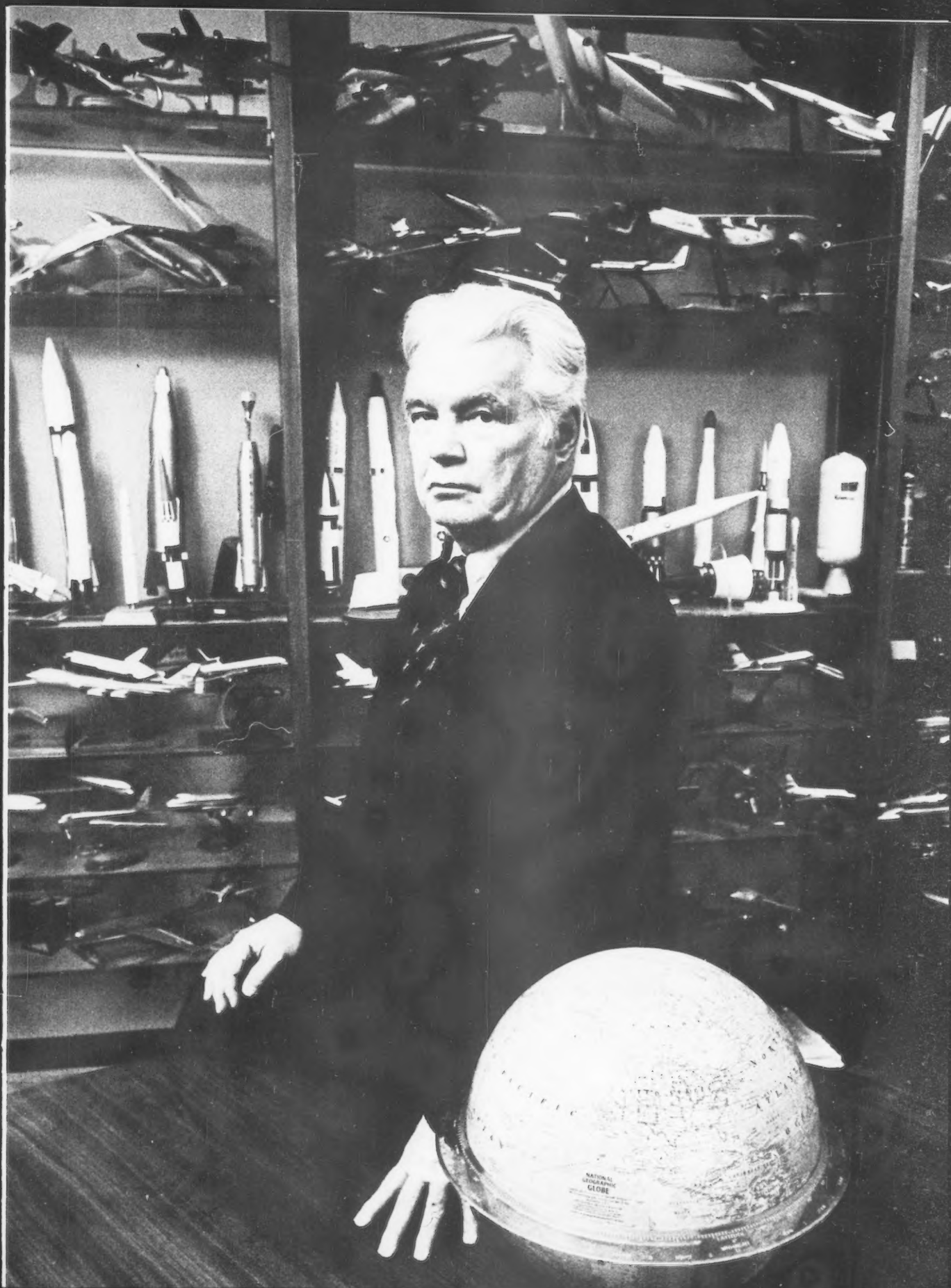
The offices of *Aviation Week* run along a back corridor on the fourth floor of the National Press Building in Washington. Walking along that corridor, you would not suppose that just beyond an unassuming glass-panelled door lies what Drew Middleton of *The New York Times* calls "a very wide-awake organization," one which occupies a unique position in this country's journalism.

Packed with full-page color advertisements showing off new aircraft, missiles, and electronic systems, and with regular columns and features on job changes, forthcoming professional meetings, and air-traffic records, McGraw Hill's *Aviation Week* arrives every Monday morning on the desks of most of its 102,000 subscribers in 132 countries. For its frequent advance disclosures of technology that may change the balance of power, the magazine is read at the highest levels of government throughout the world. As a trade journal, it is indispensable to the aerospace and defense industries it serves, keeping them abreast of technical developments, funding, and trends in policy, and not infrequently acting as the industry's spokesman to influence policy changes. As a primary source of military information for the general press, it is more influential than some reporters will readily admit.

Most important of all, because it identifies solidly with the defense community and has built a reputation as a guardian of the national interest, as this community defines it, *Aviation Week* has privileged access to defense information and plays a pivotal role in the capital's public-information wars. This means that it can publish sensitive information with a degree of impunity that can only remind such men as Daniel Ellsberg, Daniel Schorr, and Howard Morland that the government has always employed more than a single standard in defining national security interests for the press.

Call it treason?

"Early in 1956," Hotz recalls, "when the Soviets were first developing ballistic missiles, Trevor Gardner got General Electric to build this fantastic radar to monitor their tests." Gardner, then assistant secretary of defense for research and development, had the AN/FPS-17 radar constructed and then installed near Sam-sun, Turkey. With an initial range of about 1,000 miles, the complex could track missile firings from the



main Russian test center at Krasny Yar, providing data on the speed of the missiles, their altitude, bearing, and approximate range. "You could see right down the whole test range with that thing," Hotz remembers. It was the most powerful radar in the world at that time.

The American public did not even know the Soviets were testing missiles. "We knew about it here at *Aviation Week*," Hotz says. "We knew about it for two years before we decided to go ahead and tell the story. The problem was, the Eisenhower administration was all for cutting back on the defense budget then. They took \$170 million away from research and development, mostly for missiles. That was a lot of money at the time. To justify the cuts, they were publicly lying;

'Cutler violently condemned *Aviation Week*, using the word "treason" three times'

they were saying no, the U.S.S.R. wasn't building ballistic missiles, that would never happen, so there was no need to plow money into R&D to catch up. Well, this just wasn't true. So that was one story we went ahead and told."

On October 21, 1957, *Aviation Week* printed an article which began as follows:

Washington—U.S. has been tapping Russia's missile secrets for more than two years by means of extremely powerful long-range radar and other equipment based in Turkey.

"Bobby Cutler was furious," Hotz says. "Of course, they raised hell, they were going to throw the book at us. But nothing happened." On October 26, Robert Cutler, special assistant to the president for national security affairs, spoke to a closed session of the Commerce Department's Business Advisory Council in Hot Springs, Virginia, and, according to the Associated Press, quoting businessmen who attended the meeting, "violently" condemned *Aviation Week*, used the word "treason" three times, called the publication of the article "prosecutable" and suggested that "you advertisers" might wish to reconsider advertising policies. *Aviation Week* printed all these reports in its issue of November 4. Joseph Alsop got firmly behind the magazine. "The Pentagon powers that be," he wrote, "knowing the facts, sought to conceal them." An editorial in *The Los Angeles Examiner* stated:

Certain unnamed spokesmen for the Administration are angry at *Aviation Week*, the magazine that broke the story, on the grounds of publishing classified information. . . . From whom was this information classified? . . . it is almost impos-

sible that the Russians did not know. . . . The Turks knew about it, naturally, and so did the Administration and the Pentagon. It is the American public that was "classified" out of knowing.

An editorial in *The Hartford Courant* cried for "freedom of information." Soon, in response to a request from John E. Moss, chairman of the House Government Information Subcommittee, Robert Cutler formally denied that he had accused *Aviation Week* of treason. It was the end of the affair.

"We have a responsibility to the public, to American citizens," Hotz says. "We've released stories when we knew it was the right thing to do. We haven't done it carelessly. We know that national security interests are used to cover up various failures," he goes on. "Over and above that, however, there are legitimate concerns of national security. The whole business of strategic reconnaissance is a legitimate area. We've sat on a lot of stories there. We sat on the SR-71 for a long time."

The SR-71, the first military aircraft in the world to achieve sustained speeds well over Mach 3 (more than 2,000 m.p.h.), was first developed in 1959 by Clarence L. (Kelly) Johnson in a maximum-security area of Lockheed Aircraft's Burbank, California, plant. Using dummy corporations to confuse subcontractors, unmarked trucks to pick up parts and materials, cash payments for supplies, and air-lock entrances and exits, the Pentagon kept the project hidden. The aircraft were taken in subassemblies to a secret base in Nevada. "One of them crashed out in the desert," Hotz remembers. "The government covered it up by giving the plane a phony serial number taken from an F-84F." This was a tactical reconnaissance fighter with a top speed of 657 m.p.h.

"Now sometimes," Hotz says, "you get double-crossed. A press secretary, or even the president himself, will come out and tell everyone what you've been dutifully sitting on all the time, and you're scooped. That's what Lyndon Johnson did with the SR-71. He got on television and told the whole nation we have this plane that flies faster than a bullet." In his first televised press conference, on February 29, 1964, Johnson disclosed the existence of the aircraft, then known as the A-11.

"We still had a story, though," Hotz says with a chuckle. In the issue of March 9, 1964, *Aviation Week* printed a story with the following lead:

Washington—Lockheed's A-11 is a Mach 3.5 special purpose aircraft that has already flown long-range reconnaissance missions over communist territory. . . . The A-11 was originally designed primarily for long-range reconnaissance and other clandestine missions at altitudes exceeding 100,000 feet. . . . Top Defense Department officials deny that it now has such a role.

Another story in the same issue quoted Defense Secretary Robert S. McNamara in a statement he would later regret: "The A-11 is an interceptor, it is being developed as such, and beyond that I have nothing further to say on its use."

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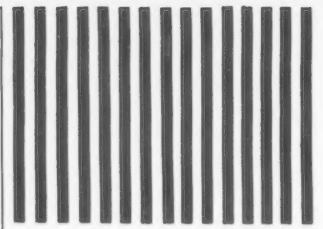
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"It was never going to be an interceptor," Hotz says. "The Soviets knew this. So who were we hiding it from? Hell, they were picking us up on their radar. They just couldn't reach us with their SAMs."

"Same thing with the U-2," Hotz continues. "We knew in a general way what it was up to, and we sat on it. When Gary Powers went down we unloaded everything we had, the special fuels, all that. The story, of course, was that he'd been shot down. The Soviets made a deal with him that they'd let him go if he would testify in his trial that he'd been brought down with a SAM. Well, they never could have gotten near him at the height he was flying. It was well over 90,000 feet, and we said so right in the magazine. He had a flame-out and couldn't get his engine started again. When he lost enough altitude, they hit him. Khrushchev was fit to be tied that these things were flying over his country and there was nothing he could do about it."

Particle-beam pickup

Hotz retains an international clipping service. You examine a fat file of clippings resulting from the U-2, SR-71, and the Soviet missile test stories—and, more recently, from a series of articles on particle-beam weapons which has run over the past two years.

The pickups suggest a pattern. An article by Philip J. Klass in the December 8, 1975, issue of the magazine gives an account of Soviet laser testing, and reports that six weeks earlier one of our early warning satellites over the Indian Ocean was blinded for a period of four hours by high-intensity energy beamed from the U.S.S.R.

The following day, December 9, *The Christian Science Monitor* runs a story by a Washington staff correspondent, ARE SOVIETS TESTING LASERS TO BLIND U.S. SPY SATELLITES? The piece credits *Aviation Week* and Klass.

In the May 2, 1977, issue Clarence A. Robinson, Jr. writes the magazine's first report on the success of Soviet particle-beam weapon research. In a pickup dated May 3, *The New York Times* runs an article with the headline SOVIET BREAKTHROUGH IS REPORTED IN RESEARCH ON AN ANTIMISSILE BEAM. The article begins:

Washington, May 2—The magazine *Aviation Week and Space Technology* said today that the Soviet Union had achieved a breakthrough in high-energy physics "that may soon provide a directed-energy beam weapon capable of neutralizing the entire United States ballistic missile force."

Robinson's next article on particle-beam weapons, describing American efforts to catch up with Soviet technology, appeared in the issue of Monday, October 2, 1978. It, too, prompted a string of pickups. U.P.I. was the first to go with it, putting it out over the wire on the weekend. ("U.P.I. always picks up our material first," Robinson says. Dan Gilmore of the U.P.I. Washington bureau confirms this. "They are highly useful. We get two or three stories a week out of every issue.") Monday's edition of *The San Diego Tribune* had the story (with

the headline KILLER RAY WEAPONS EXPLORED), as did Tuesday's *Chicago Sun-Times*, *Houston Post*, and *Chicago Tribune* (REPORT PENTAGON CONSIDERING KILLER RAY WEAPONS), and Thursday's *Boston Globe* (BUCK ROGERS AND THE PENTAGON). All of these stories credited *Aviation Week*.

After further pieces by Robinson in November, a new series of pickups ensued. The front page of the December 4 *New York Times* carried a story by Malcolm W. Browne, WEAPON THAT FIGHTS MISSILES COULD ALTER WORLD DEFENSE FOCUS. That was only the beginning. In the days immediately following, pickup included *The Los Angeles Herald-Examiner* (U.S., RUSSIA IN STAR WARS RACE), *The Kansas City Star* (RAY WEAPONS DEBATE GROWS), *The Washington Post* (PBWS: FACT OR FICTION?), and *New West* (which played an improbable local angle: DEATH RAY STALKS SUBURBAN STREETS).

Hotz's folder also contains articles from British and Australian newspapers and stories in French, Russian, Italian, Greek, German, Arabic, Dutch, Finnish, even Turkish. "The Turks really seem to love our stuff," he tells you.

"It's hard for them, you know," he says of the competition, as he leans back in his chair and smiles. "I remember once, in the late fifties, one of the reporters at *The New York Times* did three stories in a row, all on the front page. Each time he gave us full credit. Well, one of the editors hauled him into his office and said: 'Now look here, you can't make us look like a second-rate news organization. You stop writing everything out of *Aviation Week*. Go get your own sources and write your own stories.' The reporter called me and said: 'Bob, what do I do? I don't want to lose you, but I'm not always going to be able to credit you.' We worked something out."

Reporters these days do not admit to such dependency, although they readily agree that the magazine is important. Bernard Weinraub, Richard Burt, and Drew Middleton—the *Times* reporters now closest to the magazine's beat—all recall using stories that first came to their attention through *Aviation Week*. "Their 'Washington Roundup' turns out to be pretty close to developments as they break," Middleton says. "Of course, you have to check with your own sources to confirm some of their material." Burt, assistant director of the International Institute for Strategic Studies in London before he came to the *Times*, is an arms expert. "In some ways *Aviation Week* is really invaluable for the level of their detail," he says, "but that isn't to say that they are not frequently inaccurate. They are." Sometimes wrong, the magazine also sometimes is not the one to break a story. "They are not always the first people on the scene," protests *Times* aviation correspondent Richard Witkin. "My friend Jules Bergman at ABC was doing stories on the Apollo program long before *Aviation Week*."

Middleton is philosophical. "It's nice to have *Aviation Week* cover for you by bringing out something

first." Burt, relatively new to journalism, has already learned one of its cardinal lessons, and agrees: "It takes the heat off me," he says simply.

"Now and then," Hotz says as you close his folder of pickups, "we take an issue that has been deliberately suppressed, and we ventilate it. We've built up a reputation for trustworthiness and credibility. This means that we have to have the truth. We make news because we are right."

A moral purpose

Hotz surveys a row of scale-model ICBMs poking skyward amidst the thick reports and scribbled notes on his desk. He speaks for the magazine, having been its only editor during its twenty-four years. "We are known to be utterly impartial," he says flatly. Indeed, he reminds you, *Aviation Week* was the only magazine in the world which both the Israelis and the Egyptians invited to discuss the airpower lessons of the October 1973 war. The resulting series of articles was later reprinted under the title *Both Sides of Suez*. Hotz has a kicker ready. "A high official of Novosti [the Soviet information agency] once told me, 'Bob, when you write about our airplanes, you are right. Even when you write about what is *wrong* with our airplanes, you are right.'"

If Hotz values the impartiality of his magazine, it is with the understanding that impartiality entails accuracy, and accuracy, in turn, requires access. "Information is only given to those who can be trusted with it," he says, speaking of his relations with his sources. "The only way we are going to get the truth is to show that we have a clear sense of moral purpose."

Hotz recently demonstrated his sense of moral purpose in the wake of President Carter's efforts to control American arms exports—once considered one of the president's own moral imperatives. In May of 1977, Carter announced new policy guidelines meant to limit sales, establishing the requirement, for example, that U.S. arms manufacturers obtain official approval before initiating foreign contacts designed "to influence a decision to purchase."

The guidelines met with a storm of protest from industry. *Aviation Week* reported these reactions closely, and did more. In its issue of August 8, 1977, the magazine's editorial page reprinted excerpts from a speech given by Thomas V. Jones, chairman and chief executive officer of Northrop Corporation, a major armaments producer, introducing his remarks with the observation that "Carter's military exports guidelines issued in May have caused considerable concern both in the limitations they set and in their interpretation." Jones correctly pointed out that "exceptions continue to be made because the criteria and procedures for judging a particular arms sale have not been decided on." But he went on to say: "The customer should be permitted to make his decision on the basis of evenhanded competitive offerings." It was a rejection of the guidelines and an appeal for *laissez faire*.

An item headlined **SALES CONFUSION** started off the "Washington Roundup" column of the magazine's issue of January 9, 1978. It began:

President Carter's proposed foreign arms sales curtailment policy has not succeeded in curtailing sales, has caused widespread confusion in the U.S. and abroad and remains elusive because the directive... contains so many possible exceptions.

The piece also quoted a State Department official who called the new policy "a managerial mess." In the February 20 "Washington Roundup," the magazine quoted a former director of the State Department's Bureau of Politico-Military Affairs, who was "convinced that availability of arms transfers is an important instrument for effective conduct of U.S. foreign policy," and called the Carter policy "palpably unrealistic."

Hotz himself entered the lists with an editorial in the May 22 issue, in the wake of Senate approval of the administration's package of aircraft sales to Saudi Arabia, Egypt, and Israel. Unlike those who criticized the sale because it undermined the president's own guidelines, Hotz applauded it. "A healthy air of reality is beginning to pervade U.S. foreign policy," he wrote; and the magazine sounded a similar note in subsequent issues during the summer and early fall.

In response to industry criticism, much of it reported and elaborated by *Aviation Week*, in September the administration finally allowed what "Washington Roundup" called "a relaxation in the language" of the guidelines. Originally required to seek approval for foreign contacts meant to "influence a decision to purchase," arms exporters were told to inform the government only if a contact were "designed to constitute a basis for a decision to purchase." A minor, but significant, alteration in language had once again opened the door to aggressive overseas selling by American arms manufacturers. Asked if he thinks *Aviation Week* helped force the policy change, Hotz says, "It was a direct result of our hammering." A Pentagon source confirms this assessment. "Bob's was the loudest voice, and there's no question he helped loosen things up around here. After all, he represents powerful vested interests. We're back to business as usual."

Discovering another gap

Aviation Week will by now have run another of its news-making stories. Planned for the issue of April 2, it will have appeared after this article is written but before it is in print. In all likelihood, however, its reverberations will still be in the air. The subject, once again, will be the particle-beam weapon. "We sat on this story too," Hotz says, recalling all those other stories he has held "in the national interest," then run. "We've known about it for several years. Up to now, we've been very careful not to say more than we said in our articles last fall."

Clarence Robinson's original articles on this subject, which ran in the fall of 1978 after an initial piece

in May 1977, told of the development of a particle-beam weapon by the Soviets at facilities in Semipalatinsk and at Azgir in Kazakhstan. The first of them reprinted in full a speech by General George Keegan, the former head of Air Force Intelligence, who retired in December of 1976. Keegan had warned that the Soviets were well ahead of the U.S. in developing this weapon.

The articles went on to explain what the weapon was, and why it was significant. For many years, the United States had funded research on the development of laser weapons. Early in 1978, the firm of TRW Systems, demonstrating a laser beam, shot down a test missile by focusing the beam's energy on the missile's warhead and exploding it. "Since lasers are a form of light energy," Hotz says, "and travel at the speed of light, everyone realized we might be able to use them to develop an antimissile defense, a system which could react instantaneously.

"The problem," he continues, "was that laser energy, being a form of light, can only propagate itself in clear air. It is effectively blocked by haze or clouds. An antimissile defense that can only work when the weather is clear is next to useless. Now, a particle beam is a different matter. It is a stream of subatomic particles accelerated at extremely high speeds, and it doesn't require translucent air to propagate its energy. A lightning bolt is a particle beam. It's nothing but a stream of electrons. It goes through anything. If a particle-beam weapon could be developed, it would function under all conditions, and we might have an antimissile defense that could render the entire nuclear strategic force of the U.S.S.R. obsolete."

The United States had for some time been engaged in research on particle-beam weapons, and the articles had revealed these efforts, too—including the Navy's top-secret Chair Heritage Program. "No one thought it could be done," Hotz says. "The problem of generating sufficient energy for a practical particle-beam weapon hadn't been solved. They didn't think it *could* be solved. Then Keegan came along and said the Soviets were already doing it." When General Keegan originally announced his findings and *Aviation Week* reported them, the resulting clamor in the press had caused President Carter, on the advice of Defense Secretary Harold Brown, to go on television and play down the scare, saying that the articles "contained some inaccuracies."

C.I.A. director William Colby, however, convened a meeting of the Nuclear Intelligence Panel to examine Keegan's findings. Keegan had identified 350 Soviet laboratories and more than 2,000 Soviet scientists involved in particle-beam weapon research. "The panel," Keegan says, "was dumbfounded." It produced a report which acknowledged that there were no technical errors in the Air Force's analytical work, but that it was inconceivable that the Soviet Union could "hook up in serial all the major technologies" and produce a beam weapon.

As a result, no one moved very quickly. The Pentagon did decide to explore the matter further, however. Under the direction of Dr. Ruth M. Davis, deputy under secretary of defense for research and advanced technology, a large particle-beam technology study group, comprising thirty-six and later fifty-three physicists and engineers, was formed to investigate Keegan's evidence, determine how far the Soviets had gotten, examine whether the technical problems could be solved, and decide whether there was any need for further efforts to keep pace with Soviet research.

"Now here's the news," Hotz says. "That committee has been at the job for the past two years. They are coming in with their final report, and we know what it says."

What does it say?

"It says Keegan was right! It says it can be done. It says the Soviets are doing it, and they are well ahead of us. It says we have got to do everything we can to catch up. The trouble has been that we're way behind

'The magazine's credibility depends on a facade of independence and objectivity in which it must believe itself'

in some areas of physics. Ruth Davis says the dividing line is between nuclear physics and plasma physics. We're no further in plasma physics than we were thirty years ago. Bernie Schriever said it all," he continues, referring to General Bernard A. Schriever, who was head of Air Force Systems Command from 1959 to 1966. "He said: 'We are looking for Pearl Harbor in the wrong places. Technological surprise is going to be our next Pearl Harbor.'"

In open admiration for Clarence Robinson's work, Hotz says: "It's amazing how he put all this material together. He just kept at it, kept chipping away. It was like mining granite without dynamite.

"In theory," Hotz goes on, describing what the April 2 article on beam weapons would reveal, "we've solved all the technical problems. We once thought you could not generate the energy required to create a practical particle beam without an enormous apparatus, something impossibly unwieldy. It takes practically the energy of fusion. You are really doing the reverse. you are creating matter out of energy. Now we know it can be done out of something no larger than this," he says, thumping on his desk.

"The report recommends that a separate particle-beam technology office be created within the Depart-

ment of Defense. It recommends an immediate program to catch up. It is going to take hundreds of millions of dollars. We have to hustle. But we'll have our beam. We'll get it in time."

He looks at the little row of highly detailed ICBM scale models on his desk. Then he points at it. "Soon we can get rid of all that stuff," he says. "It'll be a damned good thing. We act like these strategic forces are going to last forever. Nothing lasts forever."

Ideology and interest

"It all started," Robinson says, "with the word PEANUT, a U.S. Army acronym for Probable Nuclear Underground Test. I overheard that one day, and I was curious to find out what it meant, and what it was being applied to. It turned out that one of the things it was being applied to were Soviet tests of a particle beam.

"This place is just like an intelligence agency," he says of the magazine. "We take a piece of information from here, and a piece from there, we analyze it, verify it, and pretty soon it begins to form a picture." Bernard Weinraub of the *Times* thinks the magazine's sources must be "pretty high up there, especially in the Air Force." His colleague Richard Burt disagrees, seeing "mostly low-level, technical people" behind the stories. His own sources, he notes, are "high-level civilian political appointees."

"Those high-level political appointees," says Robinson, "are the sort who never tell you anything. They don't know anything. I'll tell you, I speak to everyone. Secretaries often know more than anyone else."

"They get their material from the Pentagon," asserts Rear Admiral Gene R. Larocque, a retired U.S. Navy officer who is director of the Center for Defense Information. "They are an adjunct and public relations arm for the Pentagon and the arms manufacturers." A Pentagon source agrees. "There is such heated and intense internal strife in the Pentagon that people take their issues to the press. Things are always being leaked for ulterior motives. The idea is to make enough noise in the general press so that it becomes politically impossible not to do something about it. That has often been the way we get funding for more research." Burt calls the magazine "Aviation Leak."

"I don't buy the selective-plant theory," says George Wilson of *The Washington Post*. "That's just the standard knee-jerk reaction. Stories are not deliberately given to them. It's just that it's a little less restraining for military people to talk to Robinson and other reporters at *Aviation Week*. It's a more relaxed relationship. Most military people are straight as a string. It's the contractors who are more guilty of trying to plant stuff."

However *Aviation Week* obtains its stories, it gets results with them. The magazine's 1957 scoop on Soviet ballistic-missile testing, for example, led to increased funding for similar programs in this country. Peter Pringle of the London *Sunday Times* recalls another such instance: "The United States spent hun-

dreds of millions of dollars on research for a nuclear-powered bomber, all because *Aviation Week* announced that the U.S.S.R. had got one." The announcement had been in the magazine's issue of December 1, 1958. George Wilson recalls the denouement: "When they reported the story of the Soviet nuclear-powered bomber," he says, "we ended up spending \$1.3 billion in research before we realized it couldn't be done, that the whole story was absurd." More recently, says Gordon Adams of the Council on Economic Priorities, "*Aviation Week* has been critical in getting a complete restructuring of the way in which the laser and particle-beam weapon programs are handled."

Richard Falk, Albert G. Milbank Professor of International Law and Practice at Princeton University, does not think the editors and reporters at *Aviation Week* can be aware of the process in which they play a role. "What is involved here," he says, "is a mutual identity of ideology and interest, where a magazine that purports to be in the public domain is being used as part of the political process. The magazine's credibility depends on a facade of independence and objectivity, in which it must believe itself, but the actuality is one of linkage of ideology and interest. They are given special access to information because the government knows how they will use it. The perception of being used is very difficult for them to attain, psychologically. That is what is so pernicious about this: the link is so implicit that it can't penetrate the consciousness of the participants."

From his spartan office adjoining Hotz's and a third of its size, Clarence Robinson, the magazine's crack military correspondent, talks about the forthcoming particle-beam story, and tells you that "for the last one-and-a-half years we have been holding parts of this story at the direct request of Malcolm Currie," who was formerly deputy secretary of defense for research and engineering. When the article comes out in early April, he tells you, it will disclose specific funding of \$315 million for the next five years of the program. A Pentagon spokesperson will later tell you that figures for specific outyear funding are classified. "We'll have \$65 million the first year," Robinson says, "\$90 million the next, \$110 million after that, and then the program levels off a bit."

The week the particle-beam story will have appeared, the House Armed Services Committee will have held hearings on long-range weapons development programs, calling Deputy Under Secretary of Defense Davis to testify on particle-beam programs and the funding needed to meet the threat discovered by what Robinson calls the Gang of 53. With its stories over the last few years, with its April 2 exclusive, and with the pickup accorded its work by the general press, *Aviation Week* will have done much to promote an outcome favorable to yet another weapons system, this time a \$1.3 billion particle-beam program over the next ten years. ■



Gary Lloyd, The Decatur Daily

The press, the Klan, and an S.C.L.C. leader at a March meeting in Decatur

by THOMAS NOLAND

Like most of the hill-country South, Decatur—a northern Alabama city of 35,000 whites and 6,000 blacks—escaped the violence that accompanied integration in the Deep South in the 1960s. “We had gone through the days of integration without any problems,” recalls William Dukes, the city’s mayor. “Things changed when this Tommy Lee Hines thing erupted.”

Hines, a twenty-five-year-old Decatur black, was arrested on May 23, 1978, and charged with having raped a white woman. Five months later, the arresting patrolman testified before an all-white jury in nearby Cullman that Hines had confessed to having raped two others as well. Defense witnesses claimed that the suspect was mentally retarded and incapable of planning a crime. He was found guilty on one rape charge and sentenced to thirty years in prison. (The conviction has been appealed; meanwhile, Hines faces trial on two more rape counts and a robbery charge.)

Covering the story, together with the protests and counterprotests it generated, presented a challenge to *The Decatur Daily* (circulation: 22,000). Taking its cue from civic leaders, the paper sought to project an image of a progressive New South city. Suddenly it was faced with events that clashed with this image as jarringly as its page-one rape story of May 24 clashed with the customary “Peanuts” comic strip across the bottom of the page. Reporters, accustomed to thinking that the civil rights battle had been fought out years ago, barely grasped the dimensions of the story.

Ignorance of black society crippled the *Decatur Daily*’s coverage. While in a May 31 story by Jeff Field the paper listed black allegations about life in the city (job discrimination, a manipulated political process, jury selection that excluded blacks), it never evaluated them. Instead, in a June 19 story Field parried the charges. Interviewing Larry Kirk,

head of the Decatur chapter of the Southern Christian Leadership Conference, Field asked: “What is it that you people want? White people don’t understand. They say you’ve got your freedom. They say you are as free as anyone. They don’t understand what you people are asking for.” The story was accompanied by a photograph of two black youngsters on a mule; the resolutely optimistic outline read: “Even a protest is fun for children.”

In mid-July, the Knights of the Ku Klux Klan held their first summer rally in Decatur. *The Huntsville Times* put the crowd at 5,000, pointing out that this made it the largest Klan rally in Alabama since the 1960s. *The Decatur Daily*, again minimizing the conflict, said the rally “drew more than 1,000 observers” and characterized a nighttime crossburning by armed Klansmen as “carnival-like.”

In late August, by which time opinion in Decatur was thoroughly polarized, the trial was moved to Cullman, in the next county south. The Decatur paper duly noted the change in venue, but not its significance. In contrast, a thoughtful article in *The Huntsville Times* (circulation: 52,000) by Lane Lambert pointed out that almost all of Cullman County’s 500 blacks live in an out-of-the-way community called “The Colony,” that until twenty years ago the visitor to Cullman was greeted by a sign that read “Nigger, Don’t Let The Sun Go Down On You In Cullman,” and that the seventy-member Cullman jury roll had no blacks on it.

This March, nearly half a year after Hines’s conviction in Cullman, the venue for future court action was changed once again—this time to Birmingham. *The Decatur Daily*, meanwhile, is working to refurbish the city’s progressive image. Despite the presence of an active S.C.L.C. chapter and a revitalized Klan, it continues to ignore the root causes of black frustration and white reaction. ■

Old news from the New South

Chinese figures in a



A 707 inscribed with the characters, China People's Airlines, glides slowly out of the gray winter sky down onto the runway. It reverses its engines with a roar, and then taxis in toward the waiting crowd.

Hundreds of members of the international and American press, who have been milling around in the corral-like enclosure provided for them on the runway apron, suddenly become alert. They strain for a view of the incoming plane and ready themselves to record the ceremonial moment, the first time a leader of the Chinese people has visited America.

The plane stops. The TV cameras start rolling. The crowd is hushed.

The hatch swings open. Suddenly Deng Xiaoping, vice premier of The People's Republic of China, appears in the darkened doorway like a cuckoo bird emerging from a wall clock to toll the hour.

He pauses. Looks around. Smiles. Returns the applause of the well-wishers below as if to deflect the attention away from himself. Then, grasping the hand-rail securely, this elf-like septuagenarian works his way down the ramp.

Once at the bottom, he is engulfed by members of the reception line, who tower over him. So invisible does he become that for many who are trying to follow his path, he might just as well have disappeared underground.

In a few minutes he surfaces and exits at the end of the receiving line, this time with his cheerful-looking wife, Zhuo Lin. Two pretty Chinese girls present them with bouquets of flowers tied with pink ribbons.

A moment later Deng has vanished into a waiting limousine and been swept away to his lodgings at Blair House.

The occasion has been so startlingly brief that it seems vaguely absurd that so many representatives of the Washington press corps have disturbed their Sunday to record it. But, like the instant that divides an old year from the new, Deng's first moments on U.S. soil are in their way momentous, symbolic of the historical divide where relations between our two countries begin to flow from one era to another.

It is the end of the first day. The scheduled events of Deng's triumphal tour of Washington are going off like a perfectly planned invasion. The limousines appear and depart on time. Speeches are written, translated, and duplicated prior to Deng's arrival at each ceremonial stop. As in the coming days, the themes are al-

Orville Schell, author of In the People's Republic, accompanied the Chinese delegation on its trip around the country.

ways the same: assurances that China does not wish to ravish Taiwan, rabid attacks on "Soviet hegemonism," and repeated incantations of China's desire to "learn" from Americans. Deng will make myriad references to the need to teach Vietnam "necessary lessons." As with all messages which the Chinese take seriously, Deng repeats it like a coda at most of his talks. But in the heady atmosphere of our bilateral reconciliation, few Americans seem to be paying heed.

Almost lost in the crush of the 950 correspondents accredited to cover Deng's Washington tour are thirty-three Chinese reporters and television crewmen who are covering the events for their 900 million comrades back home.

Tonight in the studios of NBC's Washington affiliate, WRC-TV, a production team from the Central Chinese Television network is putting together its broadcast of Deng's first full day in America.

In the basement control room thirty-seven TV monitors are blinking and flickering on the wall. Above them are a dozen wall clocks showing the times in various cities around the world. Although there is not yet a clock awarded to Peking, there is still one which bears the inscription of Saigon, an uninterred vestige of earlier times when our Asian allies were exclusively in the "Free World."

Outside in the hallway, Zhao Zhongxiang, having been irrevocably dubbed "China's Walter Cronkite" by his American producers, paces up and down, intently studying a script in Chinese for tonight's news broadcast via satellite to Peking. Although comparison between Zhao and Walter Cronkite is a tempting one for American media buffs who know a marketable personality when they see one, in this case it is hardly apt. Zhao calls himself simply "a news announcer." And, indeed, all he does is briefly introduce film clips without comment.

Zhao, who arrived in advance of Deng's party, created an odd sight the other day in his crisp, dark-gray tunic, his boyishly handsome Chinese features heavily pancaked, when he did his first standup newscast from the bald patch on the west lawn of the White House from which all his Western counterparts do their daily reports.

Tonight I follow him into a room marked with a sign in Chinese, Studio F. He walks in, greets the American cameraman, and sits down in the stage set at a desk normally used by Tom Brokaw for his Washington reports. Except for the words "Today Show," which have been covered over on the backdrop with a new panel, nothing has been changed for the Chinese telecast. Zhao's presence on this borrowed TV landscape, and his occupation of Brokaw's throne, suggests a stranger who has simply walked into another

borrowed landscape

by Orville Schell

man's house, eaten his food, and taken over his job.

"The Chinese have been extremely appreciative of all the help they have received," says one of the several American TV producers back in the control room who have been assigned by the three networks to follow the Chinese around the country, shoot their news footage, and help with the technical aspects of their nightly production and feed to Peking.

"They're not paying us anything. It's just a goodwill thing," he adds. "Of course, all the nets want to get their own people into China, and I guess this can't hurt." He smiles ruefully.

"The Chinese are just like kids in a candy store," says another American producer standing out in the hallway. "Many of them have had very little experience with our equipment, but they've read so much literature they at least know which buttons to push. They love long, slow shots. They don't do much fancy editing. They'll just start a camera grinding and show a whole scene or speech from start to finish.

"And then they adore good shots of American scenery. It's a kind of early fifties production. Nothing complex. We've had no trouble with them, except that they keep wanting to change stuff right in the middle of a rehearsal. They really don't understand the complexity of it all."

At this point, anchorman Zhao's face blinks on several of the screens in the control room, and his engineers cue him up for a run-through. The wall of blazing screens around his visage is a mind-shattering collision of cultural offerings. Every program being telecast in the Washington area, plus the gala program being performed for the Chinese delegation at the Kennedy Center, as well as the Chinese newscast, explodes forth from the multitude of color screens in the small, windowless control room.

As Zhao Zhongxiang begins his brief introduction to today's welcoming ceremony at the White House on one screen, the Harlem Globetrotters suddenly appear on another and begin to manipulate a basketball around the Kennedy Center stage as if it were a small grapefruit. Then, Katharine Hepburn magically appears bicycling through the countryside of Wales, her own screen surrounded by a deodorant commercial and a Bible-thumping preacher on "Gospel Hour."

Just as PBS pans up to the Kennedy Center box occupied by Deng and Carter, a paper-towel commercial blossoms forth from the monitor next door, so that as Carter waves and Deng claps to acknowledge the appreciative audience below they seem to be endorsing this particular brand of paper towel. Then, as the Chinese newscast begins to roll film of Nixon's arrival at

the White House reception earlier in the evening, Richard Burton and Elizabeth Taylor pop up on several screens in their raging version of *The Taming of the Shrew*.

Through all of this, the Chinese engineers sit stoically at the controls, speaking by phone to Peking, concentrating on the three screens which are filled with their own program and preparing for the final satellite transmission. They seem oblivious to the riot which unfolds before them.

"What do you make of all the commercials on American TV?" I ask Song Yushan, a woman sound technician who is sitting quietly in the viewing room behind the control booth, gazing blankly at all the monitors.

"Very nice. Very nice," she says, laughing disarmingly. "Do all your stations have commercials?"

I explain that, with the exception of PBS, they are all commercial.

"Who own these stations?" she asks, wrinkling her brow in anticipation of a complicated answer.

I flounder in Chinese with an explanation of American conglomerates. Actually, the only analogies my media-seared mind can summon up are those of "bad capitalists" and "evil landlords"; but, in view of China's "liberalization," I forgo mentioning them.

"Have you had much chance to really sit down and watch any U.S. TV?" I ask, trying to rescue myself from my own answer.

"We've been very busy," she replies wearily. It is now just before midnight, when each day's actual satellite transmission begins. "We do turn the television on sometimes back in the hotel, but it's not always easy to tell where the program ends and the commercials begin."

Just then, a veritable smorgasbord of commercials appears on the monitors before us. We watch in silence as two demure young women discuss disposable douche, as Ed McMahon testifies for a dog food, while another screen suddenly fills with hundred-dollar bills drifting out of the sky and obediently forming up into neat stacks. It is a commercial for a sweepstakes.

Madame Song looks unimpressed. She is gazing up at a monitor in a far corner where a car careens out of control and is suddenly surrounded by scores of L.A. cops with drawn guns.

Of course, all the screens in the studio are silent except for the one broadcasting the Chinese news, which now shows Deng making his statement at the White House welcoming ceremony. The studio is filled with his voice, so that it seems as if everyone else on all the other screens—Perry Mason, the actors of "The Rockford Files," and even black Bill Cosby, filling in for Johnny Carson on *The Tonight Show*—is speaking Chinese with a Szechuan accent. ■

All we, like sheep

Reporters flocked
to Mexico
to cover the pope.
A fallible
media leader
led many astray

by MOISES SANDOVAL

The recent Third Hemispheric Conference of Latin American bishops in Puebla, Mexico, was widely regarded as the most important meeting of Catholic leaders in a decade. The twenty-two Latin American nations represented at the conference account for 42 percent of the world's Catholics; by the year 2,000 they will constitute a majority. The conference had portent not only in spiritual matters but, at a time when Mexico has emerged as a major oil source and when religion has once again proved to be a potent force for political change, in determining the economic and political future of Latin America.

There was a more obvious reason for press interest in the Puebla conference. Pope John Paul II, on the first papal visit ever made to Mexico, was expected to reveal the style, content, and focus of his pontificate. Hundreds of reporters from all over the world converged on Mexico City, where the Alitalia flight bringing him from Santo Domingo to Mexico arrived on January 26.

Problems cropped up even before the pope set foot on Mexican soil. On the plane, John Paul had chatted with reporters. Contrasting versions of what he had said on an important issue soon appeared in the press. The issue was liberation theology, which commits its followers, after analyzing the conditions in which

they live and reflecting on the life and teachings of Jesus, to creating a new society in harmony with the will of God. Jorge Sandoval of *El Sol de Puebla* quoted the pope as saying that "The theology of liberation is a false theory. If it starts to politicize, theology is no longer theology. It is social doctrine, a type of sociology, not a religious doctrine." But Alan Riding, who covers Central America for *The New York Times*, quoted the pope as follows: "You know that liberation theology is a true theology. But perhaps it is also a false theology because if it starts to politicize theology, apply doctrines of political systems, ways of analysis which are not Christian, then this is no longer theology. That is the problem. Theology of liberation, yes, but which one?"

Into the fold

Strangely, the *Times*, whose version of the pope's comment could be read as a statement supporting a non-political liberation theology, led much of the U.S. press to assume that John Paul had rejected liberation theology out of hand. On January 28, *Times* religion reporter George Vecsey cautiously wrote that the pontiff's remarks during his speech inaugurating the conference "seemed to be a criticism of Latin American priests who espouse social activism under a so-called 'theology of liberation.'" The next day, he reported, again cautiously, that the pope "seemed to be giving authoritative discouragement to the new wave of 'liberation theology.'"

Vecsey's use of "seemed" was well advised, for, once again, journalists were disagreeing over the thrust of John Paul's statements. Thus, while the headline for Vecsey's story in the January 29 *Times* read POPE WARNS BISHOPS AGAINST POLITICAL ROLE BY CLERGY, a story by Louis B. Fleming in the *Los Angeles Times* the same day read POPE URGES LATIN BISHOPS TO SPEAK OUT ON INJUSTICE. On January 30, abandon-

ing Vecsey's caution, a *Times* editorial, A VOICE AGAINST 'LIBERATION THEOLOGY,' declared that the pope "spoke out flatly against the concept of liberation theology" and "rejected political involvement, let alone action by the Church."

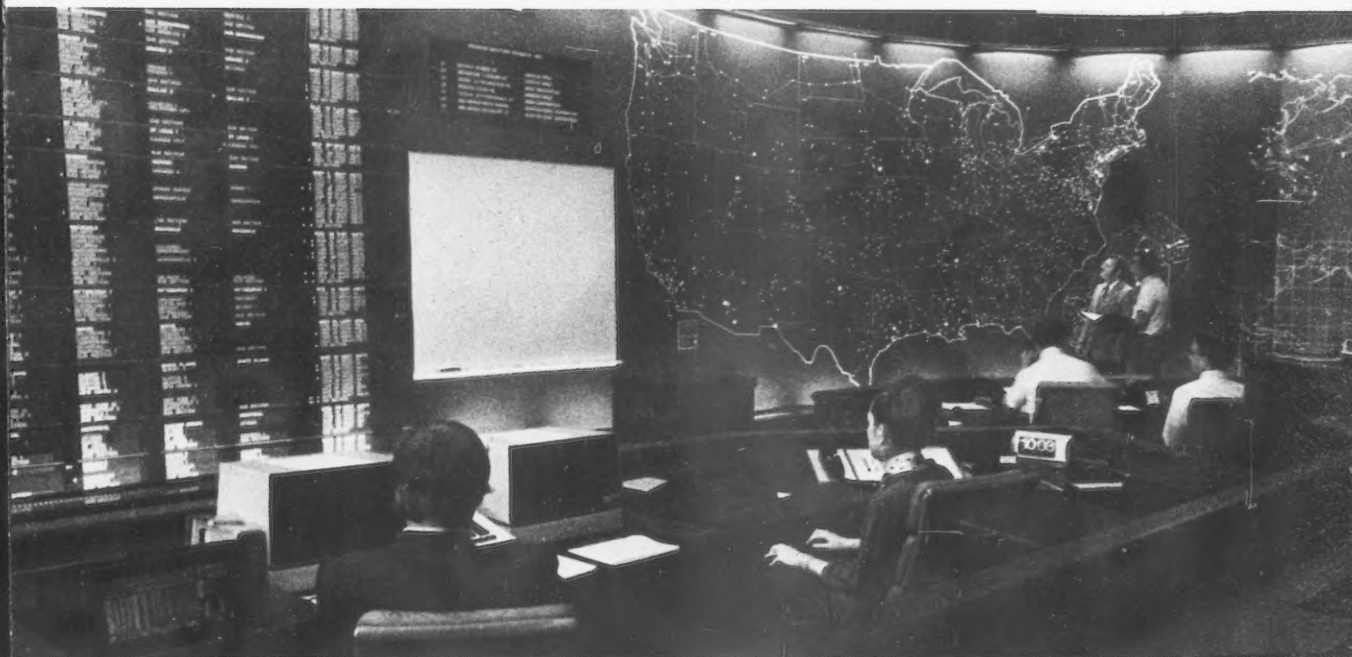
In Puebla, the *Times* editorial was termed "unfortunate" by Archbishop Marcos McGrath, a U.S.-educated moderate who headed the conference's powerful coordinating committee. At a press briefing, McGrath suggested to Vecsey that his paper should retract the editorial. Vecsey replied that he was unhappy with it, too, adding that *Times* editorial board members do not consult with reporters. ("It wasn't our happiest hour," Max Frankel, *Times* editorial page editor, remarked recently. "As we confessed in our second editorial [published on February 20], we rushed in too fast with a judgment. That happens sometimes.")

Meanwhile, several publications deferred to the wisdom of the prestigious *Times*. Tom Carney of the *Des Moines Tribune* recalls: "The executive editor told me what the *Times* had said. I had to convince him that the *Times* was wrong, and he said, Well, if that's the case, that's the story. But the editorial board had already written an editorial along the lines of what the *Times* said, and it had the effect of debunking my story."

At other newspapers, it was the rush of wire stories taking the same line as the *Times* editorial that determined editorial response. Jim Toedtman, *Newsday's* Latin America expert, says that his "best story in a month from Mexico" was cut down to little more than a sidebar to make room for a wire report that, in contrast to his uncut article, portrayed the pope as hostile to liberation theology. Penny Lernoux, a veteran Latin America correspondent and a stringer for *Newsweek*, says that when she called the magazine on February 1, the decision had already

Moises Sandoval is editor of Maryknoll magazine, the monthly publication of the Catholic Foreign Mission Society.

HOW THE BELL SYSTEM OVERSEES 40 MILLION LONG DISTANCE CALLS A DAY. ON AN EASY DAY.



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■ NASHVILLE
■ NEW ORLEANS
■ ORLANDO 1
■ SUB SECTION
■ PITTSBURGH 2
■ CHARLESTON
■ CINCINNATI
■ CLEVELAND 2
■ DETROIT 1
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been made to develop the theme established by the *Times* and the wire services. *Newsweek's* religion editor, Kenneth L. Woodward, with whom she spoke, doubts that he put the situation in those terms. Says Woodward, "What I might have said to Penny, as I often do, is: I agree with you, but there are people downstairs who read *The New York Times* and want to know why we are going with something different."

The story in the February 12 *Newsweek* (on the stands on February 5), bore the noncommittal title "The Pope in Mexico." Written by Woodward "with Loren Jenkins in Mexico," the article was a journalistic waffle. John Paul "pleaded for the liberation of the people from poverty" but "in Puebla, ignored the controversial theology of liberation and deplored clerical involvement in acts of violence and partisan politics." The cutline under a page-wide photo of the pope being showered with confetti waffled on: "John Paul II in Puebla: a rejection of liberation theology but a plea for liberation from poverty." The question of how a pope could simultaneously ignore and reject any theology was not addressed.

By this time, everyone in New York seemed to have forgotten Alan Riding's account of the airborne pope's words: "You know that liberation theology is a true theology." Notably forgetful were the editors at *Time*. The title of the magazine's February 12 story did not mince words: "John Paul vs. Liberation Theology." That this conflict might have existed only in the minds of editors was suggested by a very curious sentence; it read: "The Pope emphatically rejected liberation theology, without ever using that phrase." The tail end of the sentence at least was accurate, for not once in his twenty-seven sermons and talks did John Paul even mention the words liberation theology.

The pope speaks

While *Time* and *Newsweek* were preparing their stories, the trend-setting *Times* was having second thoughts. On February 2, *Times* religion editor Kenneth A. Briggs wrote: "First re-

ports of the Pope's messages to the conference of Latin American bishops in Puebla centered on his apparent rejection of 'liberation theology.'... As the texts of those talks were assessed, however, it became clear that he was defining a sophisticated set of guidelines that were somewhat blurred by the sheer number and rapidity of his remarks."

The pope returned to Rome on February 3; the bishops remained in conference for another ten days to produce a final report. A week after the conference ended, the *Times* ran its second editorial, referred to by Frankel, partially rectifying the errors of the first. Said the paper on February 20, "The Pope gave some encouragement to both groups [conservatives and liberals], at first stressing evangelism and rejecting 'liberation theology,' but then making clear that he did not mean to proscribe social concern." Even in this final reckoning the *Times* could not bring itself to admit that the pope had never rejected liberation theology.

On the next day, February 21, John Paul, in his weekly audience in Rome, approved the document produced by the bishops in Puebla, endorsing its stress on both evangelism and liberation. He went on to say:

One of the great contemporary theologians, Hans Urs von Balthasar, is right when he demands a theology of liberation on a universal scale.... The theology of liberation must, above all, be faithful to the whole truth of man in order to show clearly, not only in the Latin American context, but in all contemporary contexts, what reality is this freedom for which Christ set us free.

L'Osservatore Romano, the official Vatican City weekly, headlined its February 26 account of the audience LIBERATION THEOLOGY INVOLVES THE TRUTH WHICH MAKES US FREE. *National Catholic Reporter* ran its March 2 story under the headline POPE BACKS LIBERATION THEOLOGY. Both papers treated the pope's speech as front-page news, but it received little attention elsewhere. Roy Larson, religion editor of the *Chicago Sun-Times*, says he first learned of the pope's speech in the

National Catholic Reporter. John Dart, the *Los Angeles Times's* religion editor, first came across the story in a local Catholic paper. The religion editors of *The Washington Post* (Marjorie Hyer) and *The New York Times* (Briggs) say they did not see the story at all.

As it turned out, the *Times* had covered the event—in a three-paragraph *Times* special from Rome tucked away in the February 22 "World News Briefs" section. The headline read POPE STRONGLY CONDEMNS ALL "SOCIAL INJUSTICE." There was no mention of the pope's having endorsed liberation theology. As a result of such coverage, most U.S. readers were left with the impression, deeply imprinted by earlier coverage, that John Paul had rejected liberation theology, the most significant theological initiative in

Pope John



one of the world's most significant Catholic communities.

Penned in

Journalists faced several obstacles at Puebla, some imposed by church authorities, and some created by the press itself. The latter exacerbated the former. The pope's language, particularly in his early speeches, was ambiguous, although not as impenetrable as it may appear from the confused reporting. Seeking advice, reporters encountered obstacles on every hand. Important documents were hard to come by. Copies of the pope's January 28 speech in Puebla, for instance—the speech that would set the tone for the conference—were available in Rome and Mexico City while an angry press corps at the conference itself had to shout at officials to get copies. Access to

delegates within the huge Palafoxiano Seminary on the outskirts of Puebla was made difficult, indeed, virtually impossible except during the daily official press conference. Questions to be raised at the conference had to be submitted in advance; a lottery determined which ones would be answered. Frustrated by these arrangements, reporters were often compelled to rely on "observers" (*The Washington Post*) or "Church officials" (the *Chicago Tribune*) or simply say that the pope "seemed" to be saying this or that (*The New York Times*).

The hostility toward the press appeared to conform to the intentions of Bishop Alfonso Lopez Trujillo, the conservative secretary-general of the bishops' council, to control the outcome of the meeting in closed sessions. Prior to the conference, his

secretariat had repeatedly attacked the theology of liberation as a theology of revolution; strong reaction from progressive bishops had, however, led to a more conciliatory working paper. Nevertheless, reports emanating from Rome and from the secretariat in Bogotá had strongly hinted that, at Puebla, the progressives would be quashed. To some degree, then, the press had been set up for a fall.

The press walked into the midst of these theological politics poorly prepared. For many editors, as John Dart, of the *Los Angeles Times*, puts it, "the question was whether to send a reporter who knew Spanish and Latin America, but did not know the religion field, or to send a religion writer who most often did not speak Spanish." His paper first sent religion writer Russell Chandler to cover the conference (Louis B. Fleming from the Rome office was covering the pope as he moved about Mexico), then Dart himself. None of the three spoke Spanish. *The Washington Post* sent its Central America correspondent, Karen DeYoung, who is fluent in Spanish. (DeYoung followed the pope around Mexico; the *Post* relied on wire service accounts for its coverage of the bishops' conference in Puebla.) George Vecsey, the *Times* religion reporter, speaks Spanish, but not fluently enough for sophisticated interviewing. (Alan Riding of the *Times* was something of an exception, demonstrating that an intelligent generalist steeped in the culture of Latin America can write very well about religion.)

With Iran's religion-inspired revolution still fresh in American minds, there is—or should be—increased interest in what the Catholic Church is doing in Latin America. But an American secular press apparently finds it difficult to credit the power that faith wields around the world; as a result, it is ill prepared to report a number of stories that wait to be written. A talk at a recent symposium on Puebla, held at Georgetown University, hinted at one of them. "Is there," asked the title, "an Ayatollah in Latin America?" ■

Paul II with reporters: "problems cropped up even before the pope set foot on Mexican soil"



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XEROX

The Communicators Club in the Cleveland Plaza Hotel has rich, oak panelling, a dim, luxurious barroom, and deep, comfortable chairs. It insulates its guests—mostly public relations and advertising people—from faded-glory city streets where fast-food restaurants cater to lunchtime crowds. The club promotes the other Cleveland, where twenty-seven of *Fortune's* top 1,000 corporations make their headquarters, among them Standard Oil (Ohio), Republic Steel, Hanna Mining, and North American Coal. Brochures and fact sheets scattered about tout the putative strength of metropolitan Cleveland's economy.

On February 27, 1979, reporters and television crews invaded this quiet retreat. They were on hand to record the reaction of Cleveland's business community to the outcome of a city-wide referendum on a tax increase and the proposed sale of the city's dilapidated Municipal Light Plant (Muny Light) to the Cleveland Electric Illuminating Company (C.E.I.), a private utility.

By eight p.m. projected election results were moving across the club's television screen: not only had Clevelanders decisively endorsed the tax increase sought by Mayor Dennis J. Kucinich—self-styled urban populist and anathema to most Cleveland businessmen; they had also supported him in his stand against utility monopolies by voting to keep the public power system—the sale of which might have brought between \$9 million and \$40 million to the city's empty coffers. "Mayor Kucinich will assuredly lead the city down the road to bankruptcy," Kenneth Seminatore, secretary of the business-supported Vote for Cleveland committee, told WKYC Channel 3 reporter Edward Miller.

A few blocks northwest of the Communicators Club, at Kucinich's victory celebration in a ballroom of the Bond Court Hotel, a band played polkas and the popular tune "You Light Up My Life." A portly gentleman handed out "I'm for Muny Light" buttons, and one woman was overheard to say that she hadn't pinned a belief to her blouse since McGovern. The mayor danced.

Kucinich—who, at thirty-two, still looks boyish—

Ellen S. Freilich was a reporter for the Cleveland Call and Post. A student at Columbia University's Graduate School of Journalism, she is a freelance with a special interest in urban affairs.

had good reason to celebrate. Only six weeks before, a poll conducted for the Greater Cleveland Growth Association, a lobbying group for the business community, had shown 70 percent of the Cleveland electorate in favor of selling Muny Light. Now the vote was running the other way, ending up with nearly 65 percent opposing the sale.

Virginia Felderman, director of communications for the Growth Association, traced the apparent shift in public opinion to the city room of Cleveland's morning paper, *The Plain Dealer*, which, with its metropolitan circulation of 275,000, reaches about half of the area's households. In the city room, a reporters' rebellion had resulted in the publication of a series that clashed with management views. "They have some great internecine warfare going on there," Felderman said recently. "They have a managing editor, David Hopcraft, who can't keep the lid on his people."

According to Felderman, even Thomas Vail, the editor and publisher, couldn't control the reporters. "There's a revolution going on over there," she concluded indignantly.

The importance of the so-called revolution in the *Plain Dealer* city room was not lost on Mayor Kucinich, who, incidentally, had worked there as a copy boy while putting himself through Cleveland State University. Neither was the significance of the attention both he and the Cleveland media had received in the national press. Said consumer advocate Ralph Nader, who had aligned

Cleveland 'Plain Dealer,' Pressured by Reporters, Prints a Story It Stifled

Leading Daily Probes Chief Target Of Populist Mayor's Wrath; Public Swings His Way

'There's a Revolution Over There'

by ELLEN S. FREILICH

himself with Kucinich on the public-power issue, "It was practically an axiomatic example of bringing a story into a national, broader arena, forcing the nucleus of the area to do a better job."

At a triumphant news conference, Kucinich thanked *The Washington Post*, *The New York Times*, the *Los Angeles Times*, *The Nation*, *The Village Voice*, and *Point of View*, a pointed, muckraking newsletter published by Cleveland journalist Roldo Bartimole.

Finally, he thanked the reporters at the Newhouse-owned *Plain Dealer* and at the Scripps-Howard afternoon paper, the *Cleveland Press*, who, he said, had "told the truth"; and he praised the courage of a television journalist and a *Plain Dealer* reporter who had resigned their jobs when their controversial stories were retracted or thwarted by media management.

Kucinich, who sought publicity, had managed to pull the media into the spotlight with him. And that spotlight revealed, with unusual clarity, the difficulty a

news organization may have in dealing with a politician who divides the community—especially one who divides it along economic lines.

A government of newspapers

"We live under a government of men and morning newspapers," said the nineteenth-century abolitionist and orator Wendell Phillips. Had he been familiar with mid-twentieth-century Cleveland, he would undoubtedly have included afternoon papers as well. For the city's two dailies were both intimately tied to institutions that ran Cleveland.

"Louis Seltzer, the editor of the *Cleveland Press*, determined every mayor from 1941 through 1965," wrote former Cleveland Mayor Carl Stokes in *Promises of Power*. "The watchdog wasn't just asleep, he was working the other side." In 1966, a year before he retired as editor of the city's afternoon paper, Seltzer told *Time* magazine: "Our newspaper has integrated itself into this community in a way no other newspaper in America has. It is the journalistic rock upon which this city is built." "Seltzer was a hard, tough editor who doubled as a political boss without having to admit it," says Robert Hughes, chairman of the Republican party in Cleveland. "For years, Cleveland mayors looked out of city hall over their shoulder at the *Press* building every time they made a decision."

The Plain Dealer, meanwhile, was as closely connected to Ohio's largest bank, The Cleveland Trust Company, as its competitor was to city hall. The July 25, 1970, issue of *Business Week* ran this account of the relationship between the newspaper and the bank:

Through a trust, the bank shared control of the Cleveland *Plain Dealer* . . . for more than half a century. The bank's chairman was also the paper's chairman, and one minority shareholder recalls discovering that the paper "had \$7 million in a checking account at the bank drawing no interest. Yet they had no liabilities except normal current ones." The Newhouse chain bought the paper in 1967. "The bank resisted all those years," says a Cleveland financier, "but the offer was so juicy that the heirs ganged up and said, 'Let's go.'" After the sale, the *Plain Dealer's* columns began criticizing the bank. "How much the bank [had] managed the news I'm not sure," says a former staff member, "but I do know we never printed the story that [the late bank chairman George] Gund was the biggest slumlord in town."

There were, and still are, many other relationships between Cleveland's newspapers and the business community, whose most important members are the chief executive officers of banks and industries headquartered in Cleveland, and partners in the city's most influential law firms. In the 1960s, when a prominent Cleveland attorney helped to select a school superintendent from an all-white suburb to head Cleveland's racially troubled public school system, he reached an agreement with the editors of the city's two dailies that resulted in a years-long blackout of politically sensitive school stories. The attorney, John Reavis, described it to the U.S. Civil Rights Commission in 1966 as "a pledge from the editors . . . that they would



February 27: Mayor Kucinich

give [the school system] no publicity except as we asked for it because everybody in the [Businessmen's Interracial Committee on Community Affairs] thought we could work better privately." (Vail, publisher and editor of *The Plain Dealer*, recalls no such pledge. "I wouldn't have made an agreement like that because I couldn't keep an agreement like that," he adds. However, Robert Burdock, who joined *The Plain Dealer* in 1968 and served as managing editor from 1973 until 1976, says special consideration was plainly evident, adding, "School Superintendent Paul Briggs was the most protected public official I've ever encountered in my twenty-eight years of journalism.")

By 1967, with the sounds of shattering glass and the glow of fires from the Hough ghetto finally penetrating the offices of Cleveland's law firms and corporations, *The Plain Dealer* agreed to back the mayoral candidacy of Carl Stokes, whose election made him the first black mayor of a large American city. "Vail responded to the business community's support of my candidacy," recalls Stokes, who is now a reporter for WNBC-TV in New York. "He just fell in line."

The paper's attitude toward the current mayor has vacillated: it did not support Kucinich in the nonpartisan primaries; it did endorse him in the November



thanks the national press and local reporters for telling "the truth."

1977 general election—but then turned against him shortly after he took office. By August 1978, *The Plain Dealer* had realigned itself with the business community, supporting an attempt to recall the mayor, which failed by only 236 votes out of a total of 120,264.

The ties between Cleveland's daily papers and this community are more than philosophical; they are financial, as well. *The Plain Dealer* and the *Cleveland Press* each contribute \$18,000 a year to the Greater Cleveland Growth Association, which has lobbied against the Kucinich administration both in Cleveland and in Columbus, the state capital. The association, in turn, contributed \$25,000 to the Vote for Cleveland Committee, which favored the tax hike and the sale of the city-owned light plant in the February referendum. On January 16, six weeks before the referendum, the Growth Association published its analysis of the city's financial situation. It stated that "both the increase in the income tax and the sale of Muny Light are essential." In covering this report, *The Plain Dealer* was, in effect, reporting political activities that it had helped to sponsor.

Baiting the mayor

While it is neither unusual nor unethical for a newspaper's management to share the views of the local business community and to express such views on the edi-

The mayor rates the pros

When he was twenty-five, Dennis Kucinich wrote a master's thesis entitled "Reportorial Roles in the Escalation of Urban Conflict." Already a councilman, he was studying communications at Case Western Reserve University in Cleveland at the time. In his thesis, Kucinich divided city hall reporters into three categories.

"The creative instigator," wrote Kucinich, "is an activist [who becomes] involved in the political arena by generating political conflict between contestants through the employment of certain reportorial tactics, including the use of exaggerations, speculations, and doomsday prophecies."

Asked if Joseph Wagner, city hall reporter at *The Plain Dealer*, belongs here, Kucinich replies that Wagner deserves a whole new category, one characterized by an element of personal hostility.

"Dennis Kucinich was once my best friend in government," says Wagner. "But you know Dennis; he has the feeling that you're either with him or against him. And in that scenario there's no room for an objective reporter."

A second type of city hall reporter is the "referee analyst," Kucinich wrote. "He is didactic. He is an appeaser. He points to political cooperation and conciliation. . . . He tries to be instructive in his observations. He analyzes political conflict in terms of governmental functions rather than personal confrontations. He'll report on political fights but he doesn't savor them."

Kucinich cited James M. Naughton, at the time a *Plain Dealer* political writer (he later went to *The New York Times* and is now national editor of *The Philadelphia Inquirer*) as an example of the referee-analyst. Naughton says he's not sure the description is accurate. "I can remember savoring some political fights," he muses.

The third kind of reporter Kucinich labeled the narrator-observer. "The narrator-observer," he wrote, "does not take sides and does not attempt to promote either political warfare or political peace. He is not given to exaggeration. He is adept at interrelating issues and political positions dispassionately. His intentions are to get both sides of the story and to report the story without embellishments. He works with readily identifiable political facts and tends to be issue-oriented. . . ."

Such a reporter, wrote Kucinich in his thesis, was Robert G. McGruder, who then covered city hall and who is now city editor of *The Plain Dealer*. "I think he described how I tried to cover city hall," McGruder says. "I don't know if I succeeded. The Stokes administration didn't like the way I probed city finances any more than the Kucinich administration likes the way Wagner writes about them now."

Among the people Kucinich thanked in the dedication to this thesis, incidentally, was Thomas Vail, publisher and editor of *The Plain Dealer*, "who once communicated to me that politics and journalism do not mix." E.S.F.

torial page, the *Plain Dealer*'s city-room rebellion was provoked by belief among reporters that the Cleveland Electric Illuminating Company was actually influencing the paper's assignment policy. This struggle, in turn, wrought changes at the paper that resulted in the publication, before the referendum, of a series of articles that showed the C.E.I. in a harsh, new light.

Great be



ginnings.



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THE PLAIN DEALER

CLEVELAND, TUESDAY, JANUARY 16, 1978

Celeste rules out entering mayoral race

Celeste also drops from field, expected to back Rep. Oakar

Shoot-out kills boy, wounds detective

Snow woes
Jet age?
Not at O'Hare



Teng visit brings Nixon back to the White House



The city-room rebellion led to picketing (right, with reporter Robert Holden in foreground) and to a byline strike. Circled stories in the January 16 edition (above) lack bylines; others are wire copy.



William F. Miller

Kucinich had long been an outspoken critic of the private utility, but before the rebellion, which broke out in January, *The Plain Dealer* had never taken his charges seriously. Instead, after its initial vacillation, the paper had regularly criticized the mayor.

The Kucinich administration came under particularly heavy fire in the newspaper's pages during the two weeks preceding the August 13, 1978, recall vote. On August 1, 2, and 3, the paper carried articles describing the city's crumbling water system, its hard-pressed fire department, and its precarious financial position. Though the pieces contained some thoughtful reporting, the logo accompanying each article—"Cleveland on the brink"—suggested that unless Clevelanders did something drastic, such as recalling the mayor, Cleveland would inevitably go over the brink. On August 4, *The Plain Dealer* drove that message home with a front-page editorial supporting the recall.

The fiercest attack on the Kucinich administration was spread all over the front page of *The Plain Dealer* of August 11, 1978—two days before the recall election. Inaccurate headlines misrepresented misleading stories. One, written by city hall reporter Joseph L. Wagner, and business and finance editor Frederick E. Freeman, was headlined: SELL MUNY LIGHT OR RISK TAKEOVER. CLEVELAND FINANCIAL ADVISER SAYS.

Amended for accuracy, the headline would have read: SELL MUNY LIGHT OR RISK TAKEOVER, CITY COUNCIL PRESIDENT FORBES CLAIMS CLEVELAND FINANCIAL ADVISER SAYS. For the story came from George Forbes, Kucinich's arch political foe, not from Cleveland's financial advisor, John Carhuff, managing director of the First Boston Corporation, a New York investment banking firm. Carhuff quickly denied having told Forbes any such thing, but the retraction was woven into the fourth paragraph of yet another attack on the Kucinich administration the next day.

Running with Wagner's story, at the bottom of page one, was another by political columnist Joseph D. Rice, SERVICE WORSE UNDER MAYOR, POLL SHOWS. "Even though Mayor Kucinich is defeating the recall attempt against him, according to a recent poll done for the *Plain Dealer*," the lead read, "the same poll shows more people believe city services have gotten worse under the Kucinich administration." According to the poll cited in the piece, however, 52 percent of the people polled believed there had been no change in the quality of city services, 22 percent thought they had improved; and only 26 percent said services had gotten worse under the Kucinich administration.

What seemed to upset the mayor's critics most was his political philosophy of "urban populism." Kuci-

nich gave fullest expression to it in a speech delivered before the National Press Club in Washington, D.C., on September 28. Asserting that his administration had been dedicated to "championing the economic rights of poor and working people," he went on to say that, as a result, "we found ourselves locked in mortal combat with every mighty institution in Cleveland." Thomas J. Brazaitis, of the *Plain Dealer's* Washington bureau, covered the speech for the paper. Under a headline that read KUCINICH RIPS 'BIGS' IN D.C. PRESS CLUB TALK, Brazaitis described the speech as "so anti-establishment that afterwards one questioner asked, 'Are you a socialist? If not, why not?'"

Five days after the address, city council president Forbes characterized it as a combination of "racism, McCarthyism, and Communism." Shortly thereafter, in the *Plain Dealer* city room, managing editor David Hopcraft walked up to a group of reporters who were heatedly discussing Forbes's comment. According to reporters who participated in the discussion, Hopcraft said, "Well, maybe we should look into that; maybe he is a Communist." Hopcraft does not recall having said this, but, he says, "I wouldn't deny saying it. If he were, I'd love to report it. That'd be a helluva story in a town with a quarter of its population from Eastern Europe here to escape it. If someone says Dennis is a Communist, that's something we ought to check out."

The mayor's Press Club speech did nothing to allay the doubts of Cleveland's business leaders that Kucinich could solve the city's pressing financial problems. From mid-November on, it began to look less and less likely that Cleveland would be able to meet \$14 million in short-term notes due to six local banks. The deadline was December 15.

Cleveland would default if the banks refused to refinance the notes. Debate now centered around whether the city should raise money by selling its light plant. The C.E.I. was eager to buy Muny Light; it wanted its customers. The mayor needed the cash, but he would not sell the light plant. The Cleveland Trust Company—the city's largest creditor and an institution which, in the past, had had close ties to *The Plain Dealer*—supported the sale of the municipal utility.

On the story

It was only on Thursday, December 14—the day before Cleveland became the first large American city to default since the Depression—that *Plain Dealer* reporters got on the track of a story that appeared to support allegations by the mayor that the C.E.I. and Cleveland Trust were conspiring to force the sale of the municipal utility. City hall reporter Wagner, who had heard that the two institutions shared some directors, tossed out the idea for a story on interlocking directorates—"Talk about shadow government!" he said—to assistant city editor Jack Murphy. City editor Robert McGruder then handed the assignment to Terry E. Johnson, who called several directors to ask

whether the dual roles discovered by the paper might create a conflict of interest. Thursday night's 11 p.m. deadline came and went. No one thought that the story was ready to run that night.

A piece that did run in Friday's paper quoted council president Forbes as saying that he believed Cleveland Trust "could change its mind [and refinance the city's notes] if Muny Light were sold." The article also quoted Forbes as saying, "I spoke to the Chairman of Cleveland Trust and he indicated he could go with the sale of the Muny Light Plant." Thus, according to Forbes, the bank might step in at the last moment and rescue the city from default, if only the mayor would agree to sell the light plant.

Reporters David T. Abbott, Daniel R. Biddle, and Robert H. Holden pitched in to help Johnson develop the interlocking-directorate story. Together, they found that seven of the C.E.I.'s eleven directors also served on the boards of four banks to which the city owed \$12.5 million. "There was more interest in that story than anything else in the paper," Holden recalls. "People were coming up to the VDT to read it every five minutes."

By 7 p.m., the article was finished and the four reporters were determined to get it into the paper. By 9 p.m.—deadline for Saturday's first edition—the re-

This is an obit?

The following obituary, written by city hall reporter Wagner, appeared in The Plain Dealer on February 27, 1979—the day of the referendum.

Moody's Investors official dies; lowered Cleveland's credit rating

By Joseph L. Wagner

Jackson C. Phillips, 58, a Wall Street credit rating executive who had been severely critical of the Kucinich administration's handling of Cleveland's finances, has died in New York, his firm announced yesterday.

Moody's Investors Service Inc. said he died Saturday night at Cornell Medical Center following a brief illness. Phillips was director of Moody's municipal bond department and an executive vice president of the firm.

Moody's, under his guidance, was the first rating agency to downgrade the city last June. In two steps, the agency cut the rating from A to Caa, the level given New York City when it almost defaulted in 1975.

Standard & Poor's, the other major rating agency, suspended the city's rating, and it has remained suspended since.

The damaged rating knocked the city out of the national money market at a time when it needed to borrow extensively to avoid default and cover a \$40 million deficit in its capital improvements bond account.

Phillips never pulled any punches when discussing Mayor Dennis J. Kucinich and his aides.

In November, Phillips said he believed

they had misled him on their intentions to use \$6.1 million in airport money for general fund expenditures.

"We find that we're dealing with a pretty crummy bunch down there," Phillips said then. "We like to trust people until all hope wears out. We have tried and tried as hard as we know to find out what has happened here (Cleveland), and the facts have just been elusive."

"Another time, he said that city finance officials "did not have the foggiest idea of what they're doing."

In June, Moody's downgraded Cleveland from A to Baa, with Phillips saying it was questionable that the city had enough money to meet its obligations.

He also cited the political unstableness brought on by the attempt to recall Kucinich and the failure of school levies as negative factors affecting the city's credit.

"It's (recall) got to be distracting to city officials in managing their financial affairs," he said at that time.

Phillips did not wait until the city actually defaulted — Moody's cut the rating to Caa about eight hours before the midnight deadline to repay the notes to six Cleveland banks.

He said that Cleveland, for all practical purposes, deserved that rating no matter what happened.



Obituaries

porters were still discussing the article with their editors. By 10 p.m.—with Holden busy elsewhere in the city room and Abbott attending a city council meeting at which a last-minute attempt would be made to avert default—Biddle and Johnson were defending every paragraph.

"One editor asked why the story was necessary," Biddle recalls. "John Clark, the assistant managing editor, wanted to know if we weren't alleging a conspiracy. We hashed one sentence out for half an hour. If the story had been about a county commissioner with an interest in a company that had bid for a county contract, there would have been no problem," Biddle says. "Instead, it was about corporate bank directors who sat on C.E.I.'s board, owned C.E.I. stock, and therefore might have an interest in seeing C.E.I. buy Muny Light. So there was a huge hesitation. We had hit a sensitive nerve."

Assistant managing editor Clark believes he was merely being judicious. He had talked about the story earlier with managing editor Hopcraft. Around 11 o'clock, after making some changes in the story, he had called Hopcraft and told him he thought *The Plain Dealer* should run it. "It's necessary to make a distinction between suppressing a story and holding it until you think it's as sound as it can be," he says. "I think there's a helluva difference, frankly." Johnson and Biddle, as they left the city room, wondered whether the story in its edited form had been worth the effort.

The story appeared on page twelve of the Saturday, December 16, *Plain Dealer*. The headline read: CEI, BANK BOARDS OVERLAP; the kicker added: 7 OF UTILITY'S 11 DIRECTORS ALSO SERVE CITY'S LENDERS. The article was, by and large, a dry list of names and positions, with only a few dual directors offering comment. The significance of the information was not explained. Nevertheless, it represented a departure in *Plain Dealer* coverage. On the day Cleveland defaulted, its principal newspaper had at last begun to report the story of the city's finances in new depth.

A battered reporter

It was during the next round of struggle between Kucinich and the business community, however, that *Plain Dealer* reporters achieved the major breakthrough in covering this side of Cleveland's political and economic life. Following the December default, the city had begun to gear up for a referendum to be held on February 27. In a trade-off with Kucinich, the city council had agreed to put a tax-increase proposal on the ballot if the mayor would allow the electorate to decide whether the Municipal Light Plant should be sold.

Toward the end of December, city editor McGruder assigned Holden, who had been covering utilities and environmental affairs for the previous year, to write a pre-referendum series on the Muny Light issue. At an early January meeting, Holden presented a detailed outline of the three-part series he intended to write. Reporters involved in other aspects of the pre-referendum coverage offered a few suggestions, which Holden

accepted. His format approved, Holden continued to work.

On Tuesday, January 9, assistant managing editor John Clark abruptly informed McGruder that he wanted Holden off the Muny Light story on the ground that the reporter would not be fair to the Cleveland Electric Illuminating Company, Muny Light's would-be purchaser. McGruder protested, and was so upset that he has said he considered resigning. The next day, however, he told Holden to stop work on the Muny Light series and also told him why management wanted him off the story.

The news that Holden had been yanked was greeted with anger and indignation in the *Plain Dealer* city room. Reporters had long suspected that the private utility had a direct line to the paper's management. Thus, a message left earlier that week by Charles Barry, public information officer for the C.E.I., asking McGruder to call him, was now interpreted as a sign that the utility company had requested Holden's reassignment. Barry denies having made such a request. And managing editor Hopcraft explains that he ordered the reassignment because "I just wanted someone else to do the story. Holden had taken quite a battering from people at C.E.I. They weren't responsive to him."

Hearing of the reassignment and of the scuttlebutt surrounding it, David Abbott, chairman of the *Plain Dealer* Newspaper Guild unit, called a meeting for Friday, January 12. At 1 a.m. that morning Mayor Kucinich appeared as a guest on Tom Snyder's *Tomorrow* show on NBC. On the air, he mentioned that "a very important meeting" was going to be held in Cleveland that day to discuss the case of a reporter who had been taken off the Muny Light story. With that brief comment, Kucinich moved what until then had been an internal dispute into the public eye.

The meeting began at 5 p.m. Held in the International Typographical Union hall, around the corner from the *Plain Dealer* building, it drew 130 Guild members, as well as reporters and camera crews from local television stations. It was an emotional meeting. Viewing Holden's reassignment as a challenge to the integrity of all reporters, the unit voted to hold an informational picket line for two hours outside the *Plain Dealer* building on Saturday. In addition, the unit decided to request all reporters to withhold their bylines, beginning Tuesday, in protest. After the meeting, about twenty-five Guild members went to the nearby Headliner restaurant to drink and to make picket signs. "CEI-PD hook-up unVAlEd," read one, playing on the name of publisher Thomas Vail. "Does the *Plain Dealer* deal plain?" asked another.

On Saturday, from noon until 2 o'clock, reporters marched in freezing rain, carrying signs that eventually became sodden and fell apart. Several reporters who were working walked the picket line on their lunch hour. The protest became an "event": it received local radio and television coverage, was report-

ed in an unsigned article in the January 13 *New York Times*, and discussed by Alexander Cockburn in his January 22 *Village Voice* "Press Clips" column. A reporter with a heavy foreign accent also telephoned *The Plain Dealer*, wanting to interview Holden. He identified himself as a reporter from Tass.

The fact that the *Times* had covered the informational picket line and the upcoming byline strike, even if only in seven inches, appeared to reinforce the legitimacy of the reporters' protest. "When we dropped a press release off at the *Cleveland Press* building and accompanied it with the clip from the *Times*," says reporter John Hagan, "there was an immediate reaction of 'Hey, when was this in the *Times*?' " Management realized it could expect a lot more bad press as a result of the controversy, he adds.

By 11 o'clock on Monday night, the next day's early edition had rolled off the presses. Except for the names of a few columnists, the paper contained no bylines. "You may not always notice who writes the stories in your morning newspaper," said WKYC-TV reporter Edward Miller in a "live-on" on the evening news. "but you may notice something strange about this paper." Holding it up to the camera, he explained that "*Plain Dealer* reporters are withholding their bylines to protest the transfer of one of their reporters, whom they believe was reassigned because of pressure from C.E.I."

In a militant mood

The byline strike lasted two days. Most of the credits were back on Friday, after management agreed to let Holden return to covering utilities—except for the month of February, during which the referendum on Muny Light would be held. The conflict seemed to have been resolved. Holden found, however, that the utilities stories he filed in the last week of January were either being held, or cut, or run without his byline. Frustrated, and feeling that the Guild had done all that it could on his behalf, he resigned on January 26. Holden's departure left many of his colleagues in a militant mood. As reporter John Hagan puts it: "There seemed to be a feeling that Hopcraft and Clark just better keep their hands off the upcoming stories on Muny Light. There was just no way they could touch those stories."

And, indeed, as reporters Daniel Biddle and David Abbott picked up the pre-referendum series where Holden had left off, they encountered no editorial interference. In the first of their four articles, which appeared on February 11, they were able to use documents from a \$330 million antitrust suit by the city against C.E.I. to illustrate the utility's nearly two-decade-long campaign to eliminate its publicly owned competition, Muny Light. "A powerful federal agency already has determined CEI indeed violated antitrust law in its dealings with Muny Light," the story said. "The Nuclear Regulatory Commission's . . . Atomic Safety and Licensing Board said CEI could operate two Ohio nuclear plants only if it corrected these vio-

The 'Press'—an outside story

The coverage Cleveland readers got on the Muny Light issue was strengthened by a five-part series which ran in the *Cleveland Press*, starting February 10. Written by veteran journalist Fred McGunagle, who last year won an Amos Tuck Award for the Advancement of Economic Understanding for articles on Cleveland's economy, the series asserted that the anticompetitive tactics of the Cleveland Electric Illuminating Company, together with the city's own mismanagement of the publicly owned Municipal Light Plant, had contributed to the public power system's decrepit condition. McGunagle concluded that drastic changes in management policies could make Muny Light prosper.

"We had planned our series on Muny before the Holden incident blew up," says McGunagle. "And I was kind of rooting for the PD controversy to go on awhile so we could get our series in first. As it was, our articles began only a day earlier than *The Plain Dealer*'s."

McGunagle says he felt no pressure from *Cleveland Press* management while putting together his series. "The difference," remarks Robert Burdock, a former *Plain Dealer* managing editor and now publisher of *Ohio Magazine*, "is that Scripps-Howard and *Press* editor Tom Boardman are not part of Cleveland's establishment, and Tom Vail is." *E.S.F.*

lations. CEI has appealed." The *Plain Dealer* series called the history of the relationship between the Cleveland Electric Illuminating Company and the Municipal Light Plant a "prolonged struggle between public power and private interest."

The tone was new. The news was new to the pages of *The Plain Dealer*, which editorially would still support the sale of the light plant. Presenting another side of the Cleveland story, the series also lent credibility to some of the charges the mayor had been making all along. Two weeks after it appeared, Clevelanders voted by an overwhelming margin to keep their Municipal Light Plant. Kucinich recognized the impact of the *Plain Dealer* stories at his post-victory press conference. Council president Forbes, asked whether the series affected the vote, answers: "It most certainly did. The damn thing turned it around."

Zach Schiller, a reporter in *Business Week*'s Cleveland bureau, traces the publication of the "amazing" series back to the Holden affair. So, too, does David Abbott, one of its authors. If it hadn't been for Holden's "martyrdom," Abbott says he is certain the paper would not have published the series as he and Biddle wrote it.

"My analytical pieces were pussyfooting in comparison," comments former *Plain Dealer* reporter Holden, now working for *The Cleveland Citizen*, a labor newspaper. "The series was sensational!"

"It was straightforward and thorough," says managing editor David Hopcraft simply. "And we were proud to print it." ■

Politics and journalism:

American reporters strain for neutrality. The French, with the help of a conscience clause, are openly *engagé*

by CHARLES R. EISENDRATH

A suave French editor and his new publisher, a cantankerous English tycoon with a known loathing for journalists, settled their political differences early this year on terms that people in American newsrooms could only envy from afar. The editor won \$500,000.

The rules for disagreeing with the boss's politics are different in France. So much so, in fact, that the right to dissent—and get paid handsomely for it—is written into a remarkable *clause de conscience* in the national labor contract. Philippe Grumbach's quarrel with Sir James ("Tough Jimmy") Goldsmith spotlighted the French preoccupation with the politics of journalism.

Grumbach, editorial director of the newsweekly *l'Express*, claimed that he was too closely tied to conservative President Valéry Giscard d'Estaing to suit Goldsmith, who, when he bought the magazine in 1977, expected a coalition of Socialists and Communists to sweep into power shortly. Goldsmith wanted someone more sympathetic to the coalition leaders than the aristocratic Grumbach. Grumbach found himself "promoted" into management—without power, secretary, or even a place to sit down. He objected and was sacked. (The Briton is appealing the verdict, arguing that

Grumbach was simply not a very good editor.)

Only the size of Grumbach's recovery gave the court pause. His suit for back pay and indemnities was in every other respect a routine exercise of journalistic rights under the Work Code's Article L 761, section 3, a conscience clause that guarantees full severance benefits to journalists who are fired or feel obliged to resign because of changes in political orientation constituting "an attempt on their honor, or reputation, or general integrity."

Such a chivalric solution contrasts sharply with American practice. Two years ago, for example, a publisher went after two editors in Michigan's Upper Peninsula with about as much civility as a fox let loose among chickens. Like the Grumbach case, it represented an extreme application of common rules of the trade, but no departure from them. The publisher in this instance was John McGoff, president of the Panax Corporation, which at the time owned seven dailies and forty-two weeklies.

Incensed by the election of Jimmy Carter, whom he considered dangerously liberal, McGoff had commissioned two unflattering articles for his newspapers, which he directed his editors to run "as soon as possible," preferably on page one. Both were sleazily reported. David Rood, editor of the *Escanaba Daily Press*, refused to run either piece; Robert Skuggen, of the *Marquette Mining Journal*, ran one after rewriting it. Rood was fired; Skuggen resigned. A veteran of almost five years with the *Journal* and a Republican, Skuggen got \$4,000 severance. Rood, a "house Democrat" among Panax's conservative Republican brass, got \$1,280. "They even tried to block my federal unemployment benefits by claiming I was dismissed for 'misconduct,'" Rood recalls.

In French eyes, the fundamental issue in the Panax case is very similar to that in *l'affaire Grumbach*. A

publisher wanted to say certain things in his papers that his editors couldn't accept—precisely the kind of conflict the *clause de conscience* was designed to resolve. In France, Skuggen and Rood would have received a month's salary for every year on the job after being forced out for reasons involving their honor, reputation, or general integrity.

In American eyes, however, the Panax row centered around an issue of professionalism: to what degree should a publisher impose his political beliefs and reportorial standards on his editors? Although the case became a *cause célèbre*, argued in the media for more than a year, it was rarely construed as a political issue. Yet partisan politics was at the very heart of the matter. It is highly unlikely that the editors would have lost their jobs had they agreed with their boss about what constitutes fair play against political enemies.

In France, explicit recognition of political interests is built into every level of professional relations, beginning with union contracts. Where American reporters join the Newspaper Guild or no union at all, France's 13,500 journalists ally themselves with whichever one of six unions most closely reflects their political outlook. When it comes to picking a union, journalists are as finicky as a *maitre d'hôtel* sniffing a wine cork. *Le Syndicat National des Journalistes (Autonome)*, whose 3,600 members generally support the Gaullist coalition, disagrees about most things with *Le Syndicat National des Journalistes (C.G.T.)*, whose 1,453 members vote Communist. Only contract negotiations bring them together. To thrash out the national contract with the publishers, they group themselves into a union of unions called *La Union Nationale des Syndicats des Journalistes*. Between rounds, newspapers may be dealing with representatives of all six, who may or may not accept each other's demands.

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the French connection

Publishers are hardly less fractious, or more willing to downplay highly individualistic opinions. The "business side" of U.S. papers prides itself on confining management's view to the editorial page. French counterparts scoff at anyone's claims to being able to seal off politics on one page or another. Union men agree. Daniel Gentot of the S.N.J. (*Autonome*) remarks that, because of the corrupting influences of politics and advertising, journalism "has never been an independent profession. We're hired hands, like bricklayers." An editor on the far right concurs. "In France," says *Minute's* Serge de Beketch, "a journalist isn't free to say what he thinks unless he thinks what the boss thinks. If he does, of course, he's free to think anything he wants."

The French call this *la politique du patron* (owner politics), but they mean something more than simple partisanship. The term is a way of taking into account a French fact of life. "We are very intolerant as a

people," says Françoise Giroud, a founder of *l'Express* and former minister of women's affairs. "To any of us—reporters, students, government officials, or whatever—the only good journalist is the one who says what we are predisposed to believe." While most Americans have lost the habit of buying newspapers for their editorial stance, the kiosks of France daily register a sort of unplanned political poll, so closely does newspaper readership reflect voting patterns. Centrists of the right read *Figaro* or *France Soir*. Moderate leftists pick up *Le Matin*, leaving *Libération* for nondoctinaire radicals and *l'Humanité* for members of France's rather stodgy Communist party. *Le Monde's* readers defy easy categories, since the world's weightiest daily may be bought for snob appeal or special articles, as well as for its lightly socialist stance on most issues.

The French, journalists and readers alike, accept politics in journalism as a natural phenomenon. In-

stead of pretending it isn't there, then, journalists take steps to deal with it realistically. Thus, in 1951, when Hubert Beuve-Méry, the founder of *Le Monde*, found political interference overbearing, he wrested control from the newspaper's board and re-sold *Le Monde* to the staff. *Le Canard Enchaîné* and *Libération*, which together account for a great deal of France's most solid reporting, took the process a step further. Not only are they staff-owned, they also refuse all advertising, surviving on their newsstand revenues. "Only this way can we be free," says the *Canard's* Claude Angeli. "If I could write what I want at *Le Monde*, I would be there doing it. But I couldn't."

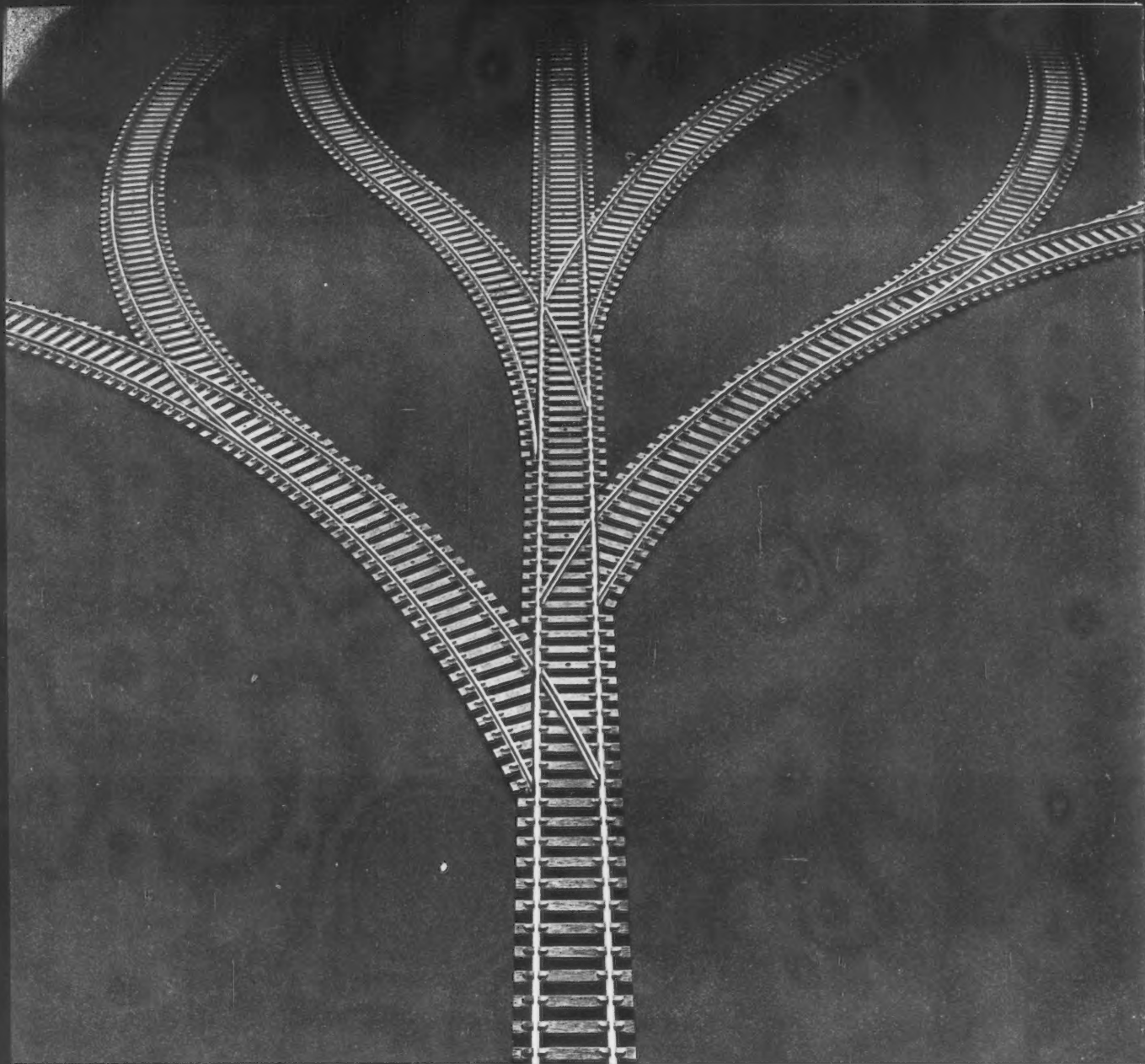
Despairing of removing politics from the dailies, the state tries to assure readers a broad variety of viewpoints, and it has enjoyed considerable success. The number of dailies, halved between 1948 and 1968, has stabilized at eighty-seven. Newsprint is subsidized. Fourteen percent of composition and printing costs is rebated. Postal and telecommunications rates are cut by half, as is freight on the nationalized railroads that carry the major papers from Paris to the provinces. The most innovative measure of all dates from the end of World War II, when a government grateful for editorial support exempted newspapers from income tax on profits reinvested in productive capacity. (Journalists, too, get a tax break—30 percent—with the issuance of their official press card.) "Our 39-b," as publishers call their favorite section of the tax code, has contracted from those early, heady days, but last year it still stood at a comforting 70 percent exemption level for daily papers. One result is that France boasts some of the world's most luxurious and efficient newspaper plants.

In all, state aid amounts to about 12 percent of total turnover in the industry, a critical margin without



"Don't Meddle with the Press," Daumier's 1834 lithograph, was a warning to King Louis-Philippe (waving an umbrella, left) not to antagonize the fourth estate, which had helped bring down his predecessor, Charles X (fallen, right). Louis-Philippe meddled; Daumier spent six months in jail.

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'Citoyen' Hersant

In the last five years, Robert Hersant has made himself France's most potent press mogul by doing things his own way. "I made known," wrote Hersant in an editorial explaining why *Figaro's* leading luminary, Raymond Aron, was leaving the paper after Hersant bought it, "that henceforth I would write in *Le Figaro* when I wished, what I wished, in the place of my choosing."

The bluntness of his approach makes him "un-French" in the alarmed eyes of business and political opponents, who compare him to William Randolph Hearst. Certainly *citoyen* Hersant's paeans to individualism and capitalism sound as jarring in contemporary France as Hearst's blatant self-aggrandizement did in 1904, when he threw his newspapers into a campaign for the Democratic presidential nomination.

Hersant got off to a bad start—jailed briefly for wartime collaboration with the Nazis, he was barred from public office until granted amnesty in 1952—but he quickly

made up for lost time. In the fifties, he started an auto magazine, which through zealous management and the good luck of riding France's industrial boom, gave him a sound base for expansion. The empire now includes twenty-seven publications, including Paris's biggest daily, *France-Soir* (circulation: 443,100), in addition to the venerable *Figaro* (circulation: 250,000).

He doesn't hesitate to use either paper in Hearst-like projects. In last year's legislative elections, the papers plugged the boss for a seat in the National Assembly. He lost, but his tireless backing of President Valéry Giscard d'Estaing's coalition, which ran scared to a narrow victory, strengthened the publisher's influence with powerful allies. Leading conservative politicians, such as Paris mayor Jacques Chirac and National Assembly President Edgar Faure, are rumored to have helped Hersant gain financing for newspaper acquisitions.

He has taken his publisher's prerogative far beyond normal limits. As a result, his staffers have, collec-

tively, made greater use than any group of the national labor contract's forty-four-year-old *clause de conscience*. Hersant's purchase of the daily *Paris-Normandie* triggered a protest strike and resignation of one-third of the staff, some of whom used their separation pay to launch four brave, but doomed, rival papers. Sixty *Figaro* staffers opted out the same way, at enormous cost to a paper that was then running a deficit of 3 million francs. That was fine with Hersant, who professed to be unconcerned about desertions from "an army of 400 journalists behind the noble facade of the *Figaro*, only half of whom worked."

How far can this politically outspoken publisher go? A French law designed to prevent rich *collaborateurs* from regaining their control of the French press after World War II bars anyone from owning more than one daily newspaper. Yet this self-made *collaborateur*—who also happens to be the administration's greatest media champion—controls a dozen. As a leading newspaper union official observes, "Curious, isn't it?"

C.R.E.

which all but two or three of Paris's ten dailies would quickly fold. Public funds for private enterprise might sound like an unpopular measure, particularly in a country that regularly gives half its votes to Socialists and Communists. Not so. "Nothing could be more universally accepted," says Gaullist National Assembly *député* Robert André Vivien, chairman of the subcommittee on aid to the press. "It's one of the few things we get unanimous votes for."

Critics of the aid system say that such coziness with government has corroded the independence of the press, inhibited aggressive reporting, and promoted self-censorship. Jean-Louis Servan-Schreiber—publisher of *l'Expansion*, France's leading business publication, and author of *The Power to Inform*, a respected media study—points out that in the provinces, where the pressure to conform is strongest, the papers

"are so much a part of the system they can't see it for what it is." Even if they did, they might not care. *Sud-Ouest's* publisher boasts of operating a "public service." *Ouest-France's* deputy editor describes his paper as "a public utility, like a gas company," unmindful that the analogy is to a regulated industry.

One of France's most perceptive press critics sees this as "part of an historic tendency." Says André Mouche, professor of journalism at Lille, "We confuse the state with the party in power"—and often confuse partisan politics with the national interest. Last summer this soft spot in the logic of politics permitted the government to subvert the largest news organization in the country and get away unscathed. Agence France-Presse (A.F.P.) is by law an independent wire service whose constitution specifically warns that "it must not, under any circum-

stances, fall under the control of any ideological, political, or economic group." The ministry of information disregarded this language. It removed the A.F.P.'s respected chief operating officer and replaced him with a man whose close ties with the regional publishers' association made him a valuable political asset.

The A.F.P. coup fooled no one, but only Beuve-Méry stood up to the test by distinguishing true state interest from political convenience. A towering figure, president-director of A.F.P. in addition to being director-emeritus of *Le Monde*, he declared that he could not associate himself with the move, and resigned. With that, however, protest ended. Even *Le Monde* itself buried the story discreetly in its *presse* section deep inside the paper. Calling attention to politics within French journalism, it seems, is about as newsworthy as calling politics politics. ■

The Union Wouldn't Listen.

They're young and attractive—just the kind of people you'd expect to find working for an airline in sunny, Southern California.

Allan Fails, every bit a contemporary Californian, suntanned, casually dressed, a small string of puka shells around his neck.

Audrey Ryan, young, stylishly attractive, with a contagious smile.

Howard Ellis, the kind of clean-cut guy you bump into every day of your life, in airports, elevators, department stores.

Ordinary in some ways, but also very special people. Special because Ellis, Fails, Ryan and a handful of courageous co-workers at Western Airlines have rebelled against a system that allows officials of a union—one they are forced to support—to spend their compulsory union dues for political and lobbying activities they oppose.

All the workers set out to do was to get the union to stop and return their money which was supposedly their right under the union's constitution.

But, union officials ignored their pleas. The next step, the only one available to them, was the courts.

So, the workers filed suit in 1973, protesting the use of their compulsory "agency shop" fees for purposes not connected with legitimate collective bargaining. They argued that the expenditures deprived them of their rights under the National Railway Labor Act and the First, Fifth, and Ninth Amendments.

It took three years for a ruling. But in 1976 a federal district court judge found the union had violated the law.

The court also ruled that the Brotherhood of Railway, Airline and Steamship Clerks, AFL-CIO, had violated its legal obligation to fairly represent the workers by ignoring their repeated protests against the misuse of their money, and by refusing to return the money unlawfully being taken from the workers.

The union, of course, has appealed, and says it intends to carry its fight all the way to the Supreme Court if necessary.

Ellis, Fails and their co-defendants would like to get the matter over with. But they are ready to go all the way—because they know they're right, and because they know they can count on the full backing of the National Right to Work Legal Defense Foundation, which has been at their side from the beginning.

The National Right to Work Legal Defense Foundation is helping everyone it can. It is currently assisting individual workers in more than 75 cases involving academic and political freedom, freedom from union violence, and the right to work for government without paying a private organization for that privilege.

For more information on how you can help American workers like Allan Fails, Audrey Ryan and Howard Ellis, write:

The National Right to Work Legal Defense Foundation
Suite 600
8316 Arlington Boulevard
Fairfax, Virginia 22038



BOOKS

Audience rights

The Fairness Doctrine and the Media

by Steven J. Simmons. University of California Press. 285 pp. \$14.95

Radio and television stations are licensed by the Federal Communications Commission to serve "the public interest." They are operated by broadcasting corporations to serve private profit. The government promises monopoly protection. The stations promise public service.

For years, broadcasters have sought to keep the monopoly protection and reduce (or eliminate) the public responsibilities. One example is their effort to repeal the fairness doctrine, which requires coverage of controversial issues, and insists that some air time be given to a range of viewpoints in overall programming.

Notwithstanding the constitutional and historic need for the fairness doctrine, its simple standards, the ease of compliance, absence of rigorous enforcement, and lack of meaningful sanctions, there is a mounting mea culpa movement in some liberal and academic quarters to support the broadcasters. Senator William Proxmire, who got the doctrine enacted, now seeks its repeal. Chairman Lionel Van Deerlin, of the House Communications Subcommittee, also opposes the doctrine. F.C.C. Chairman Charles Ferris is urging "deregulation" of radio.

Now Steven J. Simmons, one of President Carter's closest advisors on broadcast policy, adds his voice to the debate with *The Fairness Doctrine and the Media*. Although Simmons insists that "neither the book nor any part thereof represents official administration policy," those who hope for the fairness doctrine's survival will find his book unsettling.

Many of its enemies and some of its friends believe the fairness doctrine is tougher than it is. Contrary to what they think, it requires neither that broadcasters give "equal time" nor that they be "fair" in their programming. Nor does it give anyone the right of access to the air. It imposes *no* limit on what may be broadcast: broadcast licensees have the right to be as outrageous and one-sided as they wish. All the fairness doctrine requires, stated most simply, is that a station not be used solely as an instrument of propaganda; that *some* opportunity be afforded for views other than those of the broadcaster. And its first provision, often overlooked entirely, is that stations must deal with controversial issues.

Some broadcasters support the fairness doctrine; one of the networks, ABC, has even testified against its repeal. Almost all stations easily and automatically satisfy its provisions. From 1973 to 1976 fewer than one-half of 1 percent of the fairness complaints received by the F.C.C. so much as led to an inquiry to a station. Adverse rulings were entered in about one-tenth of 1 percent of all complaints. In other words, it is virtually impossible for a responsible station that broadcasts a reasonable number of news and public-affairs programs to violate the fairness doctrine. And even when there is a violation, the sanctions are minimal: a broadcaster simply must provide additional programming, with the station usually deciding what the programs will be and who will appear on them. No license has ever been revoked because of a fairness-doctrine violation and repeated violations have figured only once in an F.C.C. decision not to renew.

From its beginnings, broadcasting has been vested with a unique status among American institutions. Con-

gress expressly provided in the first section of the Communications Act having to do with broadcasting that no one could *own* a radio frequency, or the opportunity to broadcast. But Congress also decided that broadcasters would not be common carriers or public utilities, nor government agencies, nor public corporations. Instead, they were—and are still—private citizens uniquely vested with one of the highest public responsibilities in a free society.

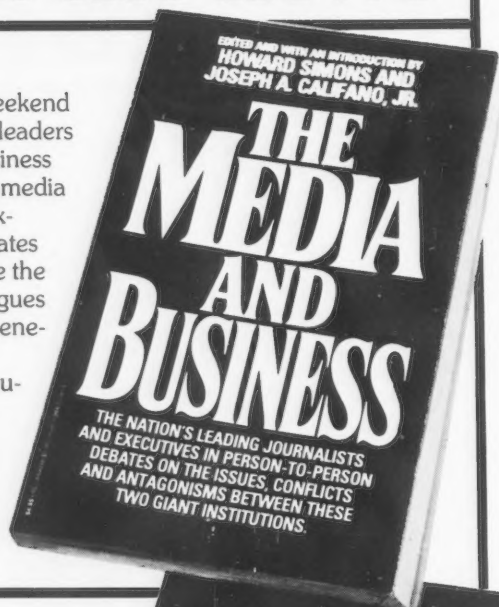
Presidents, senators and members of Congress, judges, regulatory commissioners, and even broadcasters themselves have recognized this unique role and responsibility over the years. A free and open dialogue is central to a democratic society. Free speech must mean more than the freedom to buy a TV station. Without regulation, broadcasters pose a threat of private censorship. All are aware of the dangers of having the means of informing the public monopolized by large corporations and wealthy individuals.

Commerce secretary Herbert Hoover urged action in 1922 to prevent "national regret that we have parted with a great national asset into uncontrolled hands." In 1924 President Coolidge thought it would be "unfortunate" for the government to control "distribution of information," but "still more unfortunate if its control should come under the arbitrary power of any person or group." Senator Robert B. Howell of Nebraska argued in the 1926 congressional debates that "allowing them [broadcasters] alone to determine what the public shall and shall not hear is a tremendously dangerous course for Congress to pursue." Congressman Luther Johnson of Texas was prescient enough that same year to foresee that radio could "mold and crystallize sentiment as

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BOOKS

no agency in the past has been able to do." He believed that without a law to "prevent monopoly ownership and make discrimination by such stations illegal, American thought and politics will be largely at the mercy of those who operate the stations." In 1969 the Supreme Court expressed similar sentiments when it upheld the constitutionality of the fairness doctrine in the *Red Lion* case: "It is the right of the viewers and listeners, not the right of the broadcasters, which is paramount."

The F.C.C.'s development of the fairness doctrine began with its 1929 annual report and the *Great Lakes Broadcasting* case, and continued on through the *Fairness Report* of 1974. The commission's working principle was best stated in its 1949 *Report on Editorializing*:

It is this right of the public to be informed, rather than any right on the part of the Government, any broadcast licensee or any individual member of the public to broadcast his own particular views on any matter, which is the foundation stone of the American system of broadcasting.

Even broadcasters recognized these obligations in the early years. The trade publication *Radio Broadcast* predicted in 1922 that "someday in the future the popularity of a political party in office may hinge entirely upon the quality of broadcasting service." *Broadcasting* wrote in 1936, "Radio does not, and cannot, refuse its time to speakers." CBS in 1937 said radio must be "an impartial, non-partisan forum for the discussion and debate of public affairs." The 1939 National Association of Broadcasters Code declared that "networks and stations shall provide time for the presentation of public questions . . . with fairness to all elements

in a given controversy."

None of this impresses Simmons, who concludes that the standard might better be called the unfairness doctrine and that it ought to be repealed. His book, made up mostly of a series of law-review articles (including 1,060 footnotes), is not impossible to put down. Most of it chronicles the development of fairness-doctrine law, providing some commentary and criticism of the F.C.C.'s performance over the years, some of which is sound, and some mere sniping.

Once he has dealt with subsidiary issues, such as the personal-attack rules and the applicability of the fairness doctrine to commercials, Simmons is left with only two chapters devoted to the fairness doctrine proper. It is here that he lays out many of the detailed issues that come up in cases before the F.C.C. There is the problem of determining what issue has been raised in a broadcast, and whether it is "controversial" and of "public importance." The F.C.C. must also determine the adequacy of a broadcaster's response to a fairness complaint. Are there only two sides to every question? Who should respond? If "equal time" isn't required, how much time, and how often, and at what time of day? Who has the burden of proving balance? It is after looking at what he finds to be uneven and ineffective enforcement of the doctrine that Simmons concludes we would be better off without it.

Specifically, he believes that eventually the diversity created by the growth of VHF and UHF stations, cable, networks, and public television will provide adequate public protection in place of fairness requirements. In the meantime, he suggests dropping the "balancing re-

quirements for all public-issue programming except station editorials," and enforcing the requirement that controversial issues be covered "only in terms of minimum percentages of time for public-issue broadcasts and programming to meet ascertained community needs."

All considered, it makes a useful law student's "hornbook" of fairness-doctrine law. But one would hope for better from someone with Simmons's credentials and political position and power. The author has promised to "contribute to this debate" and "suggest a new policy," and he may be fairly judged by how well he succeeds. One gets the sense that Simmons started with a predisposition to repeal the fairness doctrine and then looked for the best arguments and examples to support that predisposition. Missing is a commitment to the goals of the fairness doctrine, the First Amendment, and broadcast regulation generally that have been felt so deeply by the public, its elected and appointed officials—and some broadcasters—since the 1920s.

It is undoubtedly useful to encourage, or require, more public-affairs programming, which is as far as Simmons is willing to go. But it is folly to believe that by doing so one neutralizes what the F.C.C. has recognized as "the very human temptation not to be fair to opposing schools of thought." However honorable broadcast journalists may be, it is the *management* that hires and fires news departments and otherwise sets station policies on editorials, public-affairs budgets, scheduling, and subject matter. And the fact is that almost all owners and managers in broadcasting are white, upper-middle-class, middle-aged, relatively conservative males. Many licensees are transnational corporations, con-

glomerates, or media chains. There are few, if any, stations owned by working-class men and women, blacks and other minorities, college students, creative artists, academics, and so forth. And even in those few rare cases, the demands of a system based on advertising dictate that those who run such stations are usually forced to select the programming that is most profitable.

At the very least, as Simmons's discussions of past cases help to demonstrate, broadcasters habitually fail to present adequately issues affecting their own businesses, and are tempted to use their power over public opinion to serve their own economic ends. Today, for example, we see little, if any, discussion on radio or television of the first major revision in fifty years of this nation's communication law. Labor's side of issues continues to get short shrift.

Certainly, some people would be perfectly happy if the programming of American radio and television were turned over completely to large corporations, advertisers, and the sales departments of the stations. It is understandable that such people are not outraged by the notion of repealing the fairness doctrine. But that doesn't settle the issue.

In Newton Minow's thoughtful foreword to Simmons's book he asks, "What constitutional guarantees could preserve freedom of expression once some people acquired microphones and the power to exclude others from the speaker's platform?" That is the democratic dilemma succinctly put. One would have welcomed a book analyzing that question. *The Fairness Doctrine and the Media* is not it.

This is not virgin territory. Some have proposed a public right of ac-

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BOOKS

cess—either paid or free. An influential media reformer, professor Phil Jacklin, has proposed substituting "free speech messages" for the fairness doctrine. That is, stations would have an obligation to air a fixed number of public-service announcements from their viewers or listeners without censorship. A modified form of "common carrier" responsibility (such as has been proposed for cable television) could be applied to over-the-air broadcasters. Thus, a certain amount of time on the station would have to be sold to outsiders on a nondiscriminatory basis without regard to content. A less flexible, but otherwise allied proposal is for "shared time" stations. Just as London Weekend and Thames Television share one TV channel in London, so might American stations be obliged to divide, and subdivide, the days of the week, or hours of the day, until everyone in the community who wanted a "station" would have as much of one as possible.

These proposals, or others like them, take into account the still-present dangers that Congress foresaw in the 1920s—the threat to a democratic dialogue that comes when the means of mass communication are turned over to a small class or group of individuals inclined to use them for their own ends. The fairness doctrine is not perfect. Many of the flaws Simmons notes can (and I hope will) be taken into account by the F.C.C. But it often works quite well. And even when lying fallow, the doctrine, because it exists, makes broadcasters feel more obligated, legally and ethically, to present all points of view. Stations pay more attention to their listeners, and take their complaints more seriously, than they might otherwise. That's really what the fairness doctrine is about: the fact that American broadcasting works as well as it does day in and day out *without* fairness complaints being filed with the F.C.C. Those complaints that are filed, and the one-tenth of 1 percent which find their way into F.C.C. and court decisions—and Simmons's 1,060 foot-

notes—are what make that day-to-day practice possible. But they are not the heart of it, and still less are they its soul.

The fairness doctrine is the only way we now have to respond to the concerns of most of those who have wrestled with Minow's dilemma over the past half-century. Until a better law is in place—not just proposed—Simmons's work can be of great use to those working under the fairness doctrine or trying to improve it. Those seeking to replace it might better look elsewhere for inspiration.

NICHOLAS JOHNSON

Nicholas Johnson, a former F.C.C. commissioner and the author of How to Talk Back to Your Television Set, currently chairs the National Citizens Communications Lobby in Washington.

On the road to home

The Tribes of America

by Paul Cowan. Doubleday.
311 pp. \$10.95

Looking for America: A Writer's Odyssey

by Richard Rhodes. Doubleday.
321 pp. \$10.95

Quintana & Friends

by John Gregory Dunne. E.P. Dutton.
262 pp. \$9.95

The virtues of the personal magazine journalism favored by these three writers begin with the freedom of a few magazines from the flow of public events. Unlike newspaper editors, the editors of general magazines can ignore news that doesn't interest them. Writers who want freedom, if only the freedom to choose their poison, are naturally attracted to publications able to offer it.

Only a few magazines are in a position to do so. For many, the price of mass circulation is self-imposed limitation. At newsmagazines, writers are submerged in a collaborative news-gathering and editing process. Other magazines, such as *TV Guide* and *Reader's Digest*, the most popular in America, thrive by performing miracles of compression, a steady

exposure to which can make writers themselves feel a bit squeezed.

These three books are collections of articles by writers who have escaped specialization by having the talent, energy, and luck to be able to sell magazines their own views of American life. All three traveled around the country reporting, and all three tend to write about events and people not as neutral presences, but as personal experiences, which is, after all, what they were to the writer. By doing so, they assume the task of making their own thoughts and feelings as interesting and important to the reader as the subjects chosen.

Paul Cowan writes about ordinary Americans whose lives are caught up in social and political conflicts that remain unreal to most consumers of news. (For Cowan, as for most journalists, "ordinary" Americans are those outside the news—that is, people who are not officials, celebrities, victims, or other journalists.) "*The Tribes of America* is a metaphor for my way of seeing this country," Cowan writes in his introduction. "And it is a political statement." He believes that "to an unrecognized extent, we're a nation of professional, religious, ethnic, and racial tribes . . . who maintain a fragile truce, easily and often broken." His book is a collection of revised articles that originally appeared in *The Village Voice* (essentially a magazine published in the form of a newspaper). Its chapters are arranged to follow the author's deepening appreciation of the importance of tribal loyalties, and the discovery that many of his own political and social assumptions were inadequate.

By spending time with people and by attending carefully to who they are and what they say, Cowan is able to translate social conflicts into vivid personal predicaments. For example, he describes picketing Kentucky coal miners plinking beer cans with .45s to pass the time, a black high-school student in a Boston project who hears sniper fire every night at bedtime, and an old woman on

New York's Lower East Side for whom a government office's recorded messages mean the loss of precious dimes in pay phones.

Cowan's style is plain, ingenuous, usually humorless, and sometimes so self-effacingly fair that he seems too good to be true. It's as if he were doing his writing in the homes of his subjects, where it would be unseemly to criticize or in any way risk being impolite.

His attempts to understand other tribes eventually force him to confront his own: American Jews. His best chapters are those in which he describes the poverty of elderly Jews in New York City, and recaptures some of his lost religious and cultural heritage by spending time with the Orthodox. Even though he has always been what he calls "a confirmed racial, sexual, and cultural integrationist," Cowan, after years of reporting on tribal insularity and myopia, nevertheless finds himself becoming more tribal himself.

In spite of Cowan's apparent warmth and openness and his almost nettlesome goodness, I finished his book convinced that he would have had less trouble reconciling his youthful political concerns with the growing complexity of his own experience if he did not have a mind too easily violated by ideas. But his achievement is to have turned that weakness into an analytical strength. The intellectual baggage from the activist left of the sixties that he has lugged, with growing discomfort, through the seventies, has been, like poverty or hunger for some of those he writes about, both a burden and a stimulus.

Whether he knows it or not, his pictures of American life, and his own uncertainties about his place in it, convey powerfully the truth that while politics obviously changes lives, sometimes disastrously, its categories become stereotypes when they are applied to individuals.

While Paul Cowan wrestles with the legacy of sixties politics, Richard Rhodes is fascinated by America's

moral history, especially its dark side. The ordinary people who are Cowan's only subject do not interest Rhodes. He is drawn to performers on the heights or far edges of American experience, where moral choices seem bigger than the people who must make them. He is attracted by extremes and drawn to dark and violent events. He writes (mostly for *Harper's*, *Playboy*, and *Audience*) on Edward Kennedy, a family of dynamiters, J. Robert Oppenheimer, skywriters. And the ghastly courage of the Donner party keeps coming up—he has written a novel about it. (There are lighter pieces, mostly written early in the decade, on horse racing, Hallmark cards, where he once worked, and toys.)

For Cowan, a New Yorker, nature is never much more than a setting for people who interest him. But for Rhodes, a Middle Westerner who knew life in the country as a boy, the land has a power and life of its own, comfortingly or ominously apart from human affairs. In his best pieces, about the Mississippi and the Everglades, Rhodes seems drawn to his subjects because they are being meddled with by man. And when he writes about the collision of the man-made and the natural there usually is little doubt about where his sympathies lie:

Or think of the hills outside Vicksburg, hills of dense, deep loess cut down vertically fifty feet or more to make room for highways and roads, cut so dramatically that you feel, driving between the cuts, as if you were driving through a battle trench. Above the cuts, the lush delta foliage laps at the edges like the water of the river itself and the vines reach over for root they only barely cannot find. Change the angle of the cuts only a few degrees and the vines would race down the hillside and lock across the road and break it up and carry it away to the river and dump it in.

In the pell-mell rhythm of that last sentence can be heard the voice of the anarchist who lies hidden inside every lover of nature.

Rhodes's journalistic instincts are intellectual gothic. He usually renders ideas, landscapes, and character lushly, elaborately, and in som-

ber colors. The men he chooses to write about turn out to be haunted, at least as Rhodes sees them—even Gerald Ford, whose May 1976 profile in *Playboy* by Rhodes is a chillingly plausible attempt to understand the psychological sources of his ungenerous ambition.

John Gregory Dunne is a much cannier writer than either Cowan or Rhodes. His heart is not on his sleeve but in Los Angeles, where nothing is as simple or as pretty as it looks. Dunne is the least predictable of the three writers and the most versatile. His title pieces, "Quintana" and "Friends," are more intimate and affecting than anything in the other two books. In "Pauline," a book review that turns into a verbal ax murder of Pauline Kael, Dunne indulges in literary mayhem that Cowan and Rhodes do not allow themselves.

Dunne does not often build pieces around generalizations or intellectual analysis, which may be one reason that he seems to miss very little. He

claims, however, to be a terrible reporter:

Hating to ask questions and never trusting the answers has defined the type of reporting I do. What I do is hang around. Become part of the furniture. An end table in someone's life. It is the art of the scavenger: set a scene, establish a mood, get the speech patterns right. . . .

He says he stays away "from the 'big story,' the front-page murder or the important social action event." Instead, he prefers people who live along what he calls "the moral county line where I am professionally comfortable." Here is a passage from one of Dunne's reports from that dimly lit realm, in this case the fights at the Olympic Auditorium in Los Angeles:

Fight night at the Olympic begins at twelve noon with the weigh-in. Abandoned cats roam the aisles and corridors, pigeons bomb from the rafters. The walls of the ancient auditorium are covered with faded tinted photographs of old-time strong men and wrestlers and fighters and announcers. "Bud Taylor, the Terre Haute Terror." "The Popular

Sport Harvey." "Bert 'Geev Eet to Heem' Colima." At ringside the scales are set up and the fighters climb on. The preliminary boys make from \$125 to \$200 each for the privilege of getting their noses flattened and their ears cauliflowered. Yet this is a better option than some. "I could be a jockey," said a bantamweight standing at ringside, flicking a piece of pigeon shit from his synthetic sweater, "and a horse could fall on me and he weigh fifteen hundred pounds and he would hurt me, I think."

It seemed an irrefutable point.

Realism and humor from the boxer about his way of getting along in the world; sympathy and humor from Dunne, along with a vivid, unsparing description of the facts of the case: you can't ask for much more from a paragraph.

In "Eureka!" Dunne writes of his conversion from Easterner to southern Californian, distinguishes between the "opinion media" of the East and the "image media" of the West, and identifies two of "the myths that sustain us": "Space in the West, community in the East." It is a distinction that helps explain what these three writers are up to in seeking to clarify their own American experience for their readers and themselves.

The dream of human community seems to sustain Paul Cowan, of New York City. Space, sometimes space as a fearsome emptiness, haunts the sonorous paragraphs of Richard Rhodes, the Middle Westerner. And Dunne the transplanted Easterner tries to stay aloof from both kinds of American dreaminess, while keeping an eye out for the "occasional revelations of psychic and emotional slippage," whether in Los Angeles or Las Vegas. The success of these three very different writers demonstrates that there still is an audience for the essay, which Rhodes calls "an old and honorable form, invented at a time when men believed an individual sensibility, an individual intelligence, could be a useful and sometimes revealing measure of the world."

R.C.SMITH

R. C. Smith is a contributing editor of the Review.

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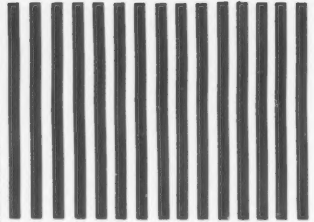
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TV DIPLOMACY AND OTHER BROADCAST QUANDARIES

The Alfred I. duPont-Columbia University Survey of Broadcast Journalism Interim Report

The sixth Alfred I. duPont-Columbia University Survey of Broadcast Journalism, Rich News, Poor News, was published in March 1978; a seventh is scheduled to appear in the spring of 1980. This supplementary report covers the period of the most recent DuPont-Columbia Awards, the 1977-1978 broadcast season. It was prepared by the program's director, Marvin Barrett, based on reports from ninety DuPont correspondents around the country.

On November 19, 1977, Anwar el Sadat, president of Egypt, flew into Israel's Ben Gurion airport for a visit with Premier Menachem Begin. Along for the ride were ABC's Barbara Walters, CBS's Walter Cronkite, and NBC's John Chancellor. At the airport to greet them, besides Begin, Golda Meir, Moshe Dayan, an honor guard, and a host of cheering Israelis, were some 2,000 lesser journalists who had come from as far away as Japan. Sadat's trip was unquestionably *the* news event of the 1977-1978 broadcast season. The Sadat-Begin weekend commanded the sort of transoceanic attention that had heretofore been given space shots, terrorism, coronations, and funerals of heads of state. Not only was U.S. television present in force for the historic encounter (Walters's back-up crew alone numbered fifty-eight), but the networks were given credit by many for the meetings' having taken place at all. Walter Cronkite had served as go-between in a triple New York-to-Cairo-to-Jerusalem play five days before, and there were claims that ABC's Peter Jennings had been laying the groundwork even earlier. Barbara Walters also had her share of historic firsts; she had hastened from Tel Aviv to Cairo at Sadat's express invitation so that she could return to Israel almost immediately as a member of his party. "I felt I was part of history. Realize that mine was the first flight from Israel in thirty

years to land in Egypt." She was also the first journalist to interview Begin and Sadat side by side when they emerged from the Knesset. Cronkite demanded and got equal time and Chancellor followed, conducting a third joint interview the next morning.

Whoever started it all (Begin diplomatically credited an unspecified "representative of American television" with prompting him to issue an invitation to Sadat), there, squarely in the center of the unfolding events, were the stars of U.S. network television news.

This electronic extravaganza (a total of more than twenty-four hours on the three commercial networks, with perhaps 30 million Americans tuned in) used the services of hundreds of reporters, producers, and technicians, as well as the talents of such insiders as Israeli diplomat Abba Eban, Under Secretary of State Philip Habib, and former Secretary of State Henry Kissinger. The birth of "TV diplomacy" was a phenomenon variously considered an insufferable intrusion, a public service, or just the latest in a series of media expropriations.

Variety, the show-business weekly, which had described Sadat's unprecedented descent upon Israel as "one of the most important news events since the end of World War II," later quoted an Israeli commentator, Mark Segal, as saying:

the politics as entertainment syndrome appears to be taking over the most fateful discussions in Middle East history. . . . Begin seems to be enjoying all the razzmatazz as much as Sadat. . . . That they have appointed Barbara Walters as the major oracle of Middle East diplomacy hardly adds to the solemnity of their purpose. . . . The unrealistic expectation that decades of bloodshed and hostility can be made to vanish by some magic television wand is, perhaps, the result of the way Begin has allowed Sadat, as part of his bid to win over U.S. public opinion, to convert the negotiating process into part of the American TV networks' competition for placement in the ratings.

Flora Lewis of *The New York Times* disagreed:

To consider the new technique a matter of show business or personal vanity would be a serious mistake. It has already proven highly effective in the Middle East. And the chances are that it will gradually be taken up for use in other areas, where matters of tremendous importance to billions of people are still kept secret until there is a result, a decision or an agreement.

In effect, mass diplomacy has become a tool of negotiations. While there has not yet been a result in the Middle East talks, there has already been a tangible impact. . . .

Once the American people had become engaged in the action, through Sadat's policy of granting frequent interviews and making himself continuously visible, it did become important for Mr. Begin to win his share of interest and support being generated. . . .

Without spending a penny in this way, Mr. Sadat has induced the world's most powerful media to run to him and publicize what he has to say. He has managed to begin mass diplomacy.

And while it may take some time before other leaders achieve his instinctive grasp of how to handle it, the new method is almost certainly here to stay, as long as the new technology of communications exists.

Whatever the influence of TV, the networks returned—nay, were invited back time and again—to observe, kibitz, ask questions, and be told without ask-

ing. As Israeli-Egyptian negotiations stretched over the next year and more, broadcast journalists continued to participate in the proceedings to an unprecedented degree. From November 1977 through the next June the three network evening newscasts included more than 600 separate items dealing with the Middle East. Frequently the newscasts devoted more than half of their time to developments there. When one adds news specials, documentaries, and panel shows, the sequence represents one of the largest commitments—if not the largest—to continuing coverage of a developing story in the annals of television.

Back home, the everyday environment in which broadcast journalism operated had changed little. The ills electronic newsmen were heir to seemed to grow, even as did their reputations and expertise. There were the usual signs of public approval in the polls. In a survey of "Confidence in Institutions" made in the summer of 1978, Louis Harris reported that TV news showed the greatest increase in public confidence of any field canvassed, rising five points and three positions in the ratings over the previous year, to edge out organized religion, the Supreme Court, and the military for third place. Only medicine, which had nonetheless experienced the most drastic drop in public confidence, and higher educational institutions rated higher. Print journalism gained four points in public confidence but still came in seventh. The White House, the executive branch, and Congress registered severe drops. Harris concluded: "For the media, these latest results are a signal that in the continuing encounter between government and the press and TV news, government appears to be losing."

This public support did not mean that journalism lacked detractors, in or out of government. Jostling one another for position on the list were politicians, industrialists, an exiled novelist, the Marcos government in the Philippines, the Sugar Association, Synanon, ex-presidential aide Bert Lance, and President Carter himself.

To take but one example, British journalist Malcolm Muggeridge told a congressional prayer break-

. . . it has seemed to me increasingly clear that the media have become the great fantasy machine of all time. This applies just as much to their news and documentary offerings as to their diversionary ones, if not more so.

There were less harsh evaluations, which were all the more disturbing for acknowledging the excellences the medium had achieved. Richard Salant, in his final year as head of CBS News, told the 1978 convention of Radio/Television News Directors in Atlanta:

I think all of us in journalism—print or broadcast—who take our calling seriously and who accept the notion that we do have some special obligations to the people of a democracy, would agree that, as editor William Lloyd Garrison wrote, "The success of any great moral enterprise does not depend on numbers." . . . Journalism is more than a free competitive enterprise. In a democracy, it is also a great moral one. . . .

I stand by the overriding principle of providing the people with what they ought to know, rather than choosing only

what some survey or instinct purports to tell us what the people might be interested in. . . .

If they perceive us as concerned only with numbers—numbers of people and numbers of dollars—only as business satisfying the vagrant wants and interests of an audience, we shall remain in trouble.

THE DOCUMENTARY QUANDARY

The decline, fall, and failure to rise again of the TV documentary had become such an old story that it hardly seemed worth mentioning, and yet mentioned it was, at length and painfully by James Rosenfield, president of the CBS Television Network, speaking to the New England chapter of the National Academy of Television Arts and Sciences in October 1978. After praising documentary units as the best people—"the very best"—in their trade, dealing with "the major issues of our times," he said that they suffered what could only be called "massive rejection." Citing Nielsen reports, he listed six CBS documentaries shown in 1978; five of the six finished last in the weekly ratings and one finished next to last. He asked:

Are we going to go on doing documentaries? Of course we are, in spite of a discouraging vote like this. Because you can't have a fully rounded news service without them—and

'On the list were industrialists, an exiled novelist, Synanon, Bert Lance, and President Carter himself'

a full service is part of the mandate of CBS News. But it's not for business reasons and, God knows, it's not for ratings reasons.

Don Hewitt, executive producer of *60 Minutes*, the most successful news program in television's history, said, "The networks have made an astronomical financial investment in information programming. . . . The networks would like nothing better than to get some of that money back through better public acceptance of a more even split between news and entertainment in primetime hours. If there is not more news on the air during those hours, it's not because television hasn't put its money where its mouth is. It's because the public hasn't put its dials where its mouth is."

Although public apathy was a fact and ratings for documentaries were grievously low, the programs had labored under other handicaps. Salant gave an additional explanation when asked about the future of the documentary by *Broadcasting*:

They hide them. They put them in the places where they'll do the least damage. You want to see where the competition is going to run the Oscars and you put them in there. If [only] you had regularity, so people will know they're coming, once a week, and it's a habit, and you know sufficiently in advance so you can publicize them, advertise them. Sometimes we're not even told in time for us to get a listing.

That the networks had made a formidable investment in news and public affairs was, as Hewitt stated, a fact. Total news budgets for the three networks

jumped from \$115 million in 1970 to a level of \$207 million in 1977 after hitting a high of \$218 million in 1976. This increase was not out of line, however, with the growth of network funding; in fact, calculated as a share of total revenues, the news investment declined between 1970 and 1977 from 10 percent to 8 percent; meanwhile, network profits rose from \$50.1 million to \$406.1 million—more than 700 percent, as opposed to the growth in news budgets of 80 percent. Paradoxically, it was entertainment expenses in the winter of 1978 that threatened the profits of CBS and NBC.

Still, what was needed, as Salant indicated, was not money but time: a desirable, predictable weekly hour devoted to a high-quality documentary series had yet to be tried in this era of maximum broadcast profits.

Instead, since the last DuPont-Columbia Survey there had been several unsuccessful attempts to replicate the top ratings of *60 Minutes*. After months of indecision, NBC finally brought its *Weekend* magazine forward from the late Saturday night spot it shared with *Saturday Night Live* to prime time, where it earned undistinguished ratings. ABC launched its ill-fated *20/20*, which had a disastrous, though heavily promoted, midsummer premier in 1978. The program was soon deprived of its weekly hour and struggled into the schedule at unpredictable intervals through the following fall and winter. Another, feeble try was *People*, which followed CBS's defunct *Who's Who* into the tinselled area between reportage and gossip; it expired unmourned seven weeks later.

Even the venerable *CBS Reports* was not proof against the TV magazine vogue. A factor contributing to the departure of Bill Moyers, who for two years had presided over the distinguished series, had been the decision to divide the program's irregularly allotted hour into three parts. As an alternative Moyers suggested that the network try a weekly prime-time, half-hour documentary—a suggestion which, although granted merit by network executives, was turned down because it "wouldn't get top dollar." A final discouragement was the slotting of Moyers's excellent and important report, "The Battle of South Africa," on the Friday night before Labor Day weekend.

A *Variety* list of commercial network specials aired in prime time between September 1, 1977, and August 31, 1978, included, out of 730 programs recorded, fewer than forty that were recognizable as products of the network news departments. Of those, more than half had been aired in the three summer months, the time of lightest viewing. As for ratings, the highest-rated news or public-affairs special, ranking 390th out of the 730, was an *ABC News Close-up*, "Teenage Turn-on: Drinking and Drugs." Thirty-two of the remaining thirty-nine were in the bottom one hundred, with the documentary booby prize, number 729, going to the CBS News "The Business of Newspapers." Only ABC's "U.S. Women's Open Golf" scored lower.

According to Les Brown in *The New York Times*, from September to the middle of December 1978 a single prime-time news documentary was aired by the networks—"Terror in the Promised Land," which went on ABC unsponsored and therefore unrated. The

exigencies of the all-important sweeps ratings periods, in February, May, and November, and the competitive fever of the opening weeks of a new TV season had, year by year, narrowed the slots into which network programmers could be persuaded to shelter news and public affairs.

At ABC, where the weekly prime-time commitment to news and public affairs was the lowest of the three commercial networks, schedulers put one of the *Close-up* series, promised a monthly prime-time airing in the early days of Rooney Arledge's presidency of ABC News, on the air at 11:30 p.m. The next month, thanks to the sweeps, no *Close-up* got on at all.

Fred Silverman, NBC's new million-dollar president and the alleged wonder man of entertainment TV, professed his dedication to news on his first day on the job in June 1978, saying, "The most important thing at NBC is NBC News." Later he told NBC's affiliates, "If NBC News needs prime time it will get it." Les Crystal, president of NBC News, promised forty-five hours of prime-time journalism for Silverman's first season. By March 1979, twenty-three hours, three minutes, and forty seconds had been delivered, half by *Weekend*, the other half by coverage of news events.

Actually, the most conspicuous breakthroughs into prime time by the network news departments were the mini-news shows, which the three chains aired at peak viewing hours. Called variously "News Briefs," "Newsbreaks," and "Updates," they stuffed as many as five items and a ten-second commercial into their allotted minute, thus adding to the clutter that in some station breaks already could comprise twenty separate elements. Merrill Panitt, editorial director of *TV Guide*, reported to the Chicago Advertising Club that his magazine had given up the idea of listing short news when it found that in one edition alone it would require 150 separate listings. Moreover, he warned, there soon would be spots for sports, weather, and other specialties around the clock—largely because, he concluded, "There is a big future for ten-second commercials. Heaven help us."

The material carried on these news glimpses was rarely all that new, since it usually had appeared in a more extended form on the early evening network newscasts. The justification for such redundancy was hardly reassuring. "Our CBS research shows that about half of the people haven't seen the earlier network shows at 7 p.m. So this is a public service, although it is also designed to make money," said CBS "Newsbreak" producer Ralph Paskman.

These brief encounters between reality and the TV prime-time entertainment viewer were consistently the highest-rated news shows on the air, and therefore, minute for minute, the most lucrative.

PUBLIC TV: STILL STRUGGLING

Bill Moyers's return to public television to preside over a weekly documentary and interview series, and Robert MacNeil's refusal to desert to ABC News gave a decided boost to the morale of public TV's journalists. The continued distinction of such series as *Nova* and such outstanding individual programs as Ved Mehta's and William Cran's "Chachaji: My Poor Relation" and Perry Miller Adato's superb portrait of Georgia O'Keeffe, were proof that the Public Broad-

casting System was still providing high quality.

Still, much remained beyond its means. Most of the recommendations made in "Possible Courses for News and Public Affairs," a special study done for PBS by Richard Wald after his departure as president of NBC News, could not be followed. Wald urged extension of the nightly *MacNeil/Lehrer Report* to one hour, a fifty-two-week-a-year documentary series, and an ambitious weekend round-up.

One recommendation—that PBS upgrade its live coverage of important events—assumed a further slackening in the commitment of commercial broadcasters. "As the financial pressures on the commercials get greater," Wald observed, "the possibilities of live broadcasting for them get fewer."

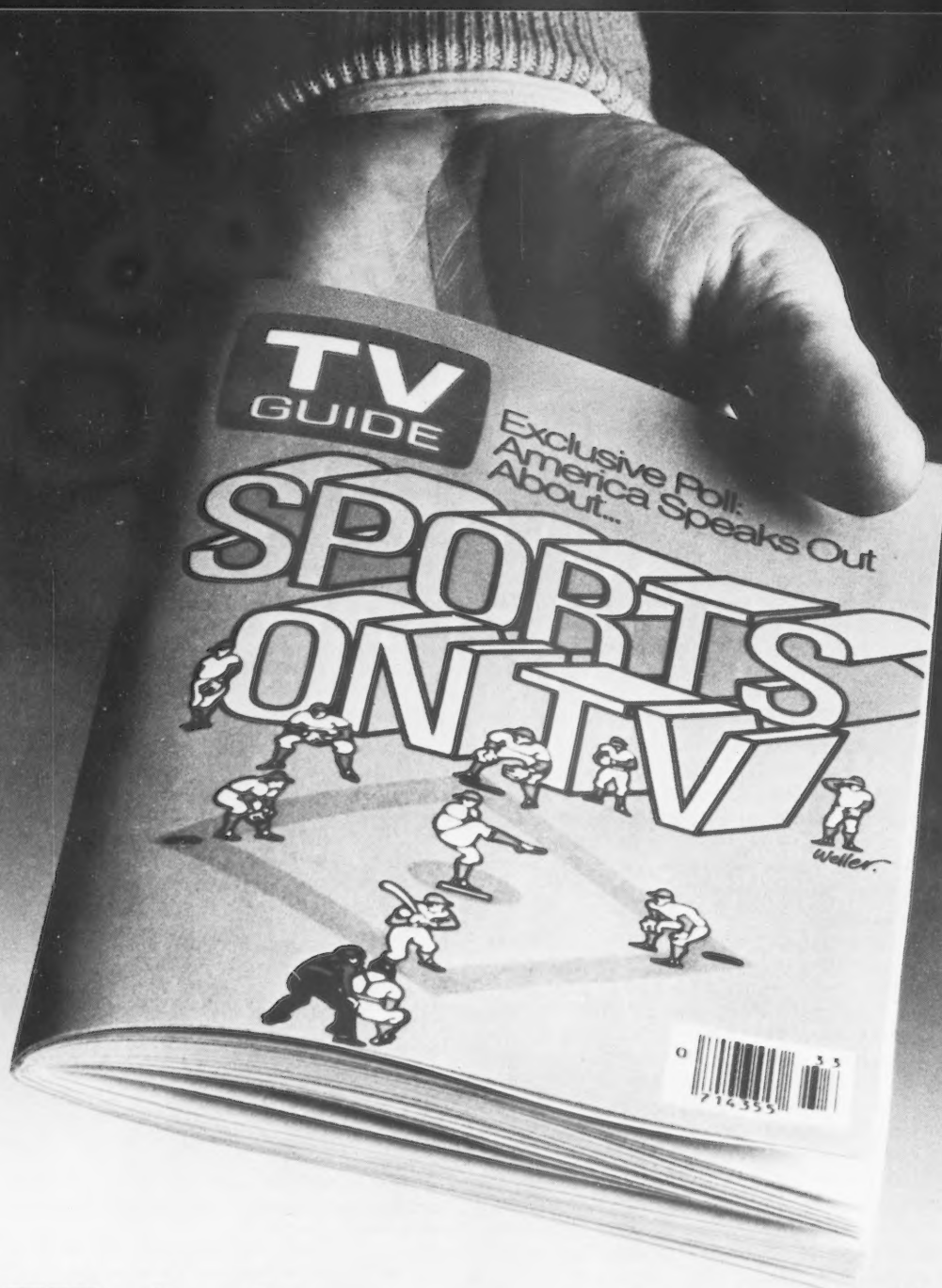
Unfortunately, since the disbanding of the NPACT unit following its exemplary coverage of the Watergate and impeachment hearings in 1973 and 1974, the possibilities of live broadcasting for PBS had likewise declined.

The Moyers series, although it was offered to the system's big corporate funders, finally had to rely on the Corporation for Public Broadcasting and the Ford Foundation for its money. A hopeful sign was that the Station Program Cooperative, the funding organization made up of public TV stations, which had been timid about providing for documentary series in the past, had indicated its willingness to support the Moyers show for the 1979-1980 season.

Less encouraging had been the cooperative's rejection of Alan and Susan Raymond's Du Pont-Columbia Award-winning, ninety-minute "The Police Tapes." The program, snubbed because it was considered too New York-oriented for national viewing, was subsequently picked up and aired as a sixty-minute *ABC Close-up* in August 1978. This was an important breakthrough for independent documentary-makers, who had had a hard time interesting the commercial networks.

Nor was there much cheer in the fate of Don Widener's controversial sixty-minute documentary, "Plutonium: Element of Risk." The first program to be funded—for \$150,000—by public broadcasting's "revolving documentary fund," it was scheduled for airing by KCET-TV, Los Angeles, at the beginning of November 1977. Two days before air date, Chloe Aaron, the PBS vice president for programming, informed the stations in the public system that "this program does not conform to the PBS document of journalism standards." The program was finally seen on only twelve stations.

Whatever one's judgment of the program, and professional opinion was mixed, the PBS advisory that knocked it off the air had a ring reminiscent of the embattled early seventies. "We are not told of any effort on the producer's part to include spokespersons who represent points of view held by the American nuclear power industry," read the explanatory memorandum sent to KCET. "The program in its entirety does not leave us convinced that the producers approached the subject with an open mind. And while many may agree with the conclusions, these conclusions are not arrived



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LOCAL NEWS: STILL GROWING

At the local level, news was where the action was, where the big winners and losers in money and ratings were determined. Although public affairs continued to be a burden and, with a few notable exceptions, was treated as such, it had been some years since the sacrificial, "this-is-a-painful-duty" attitude toward news had prevailed.

The relation between increased station profits and news budgets reported to the Survey by 240 news directors across the country indicated a strong continuing commitment to news on the part of managements. This was underscored by the fact that half those stations with no profit growth had still upped their news budgets. Nevertheless, more than half the news directors responding pointed to lack of money as their principal handicap.

Three out of four stations reported expanded news staffs, while the heretofore steady rise in time committed to the news had flattened out, two-thirds of the stations reporting that their time allotments were the same as in the previous year. This indicated that increased personnel and money might now be spent on something better than keeping up with an expanding time slot.

Three of four news directors reported production of mini-documentary series on a regular basis while half had added magazine shows to their schedules. As on the networks, the traditional documentary was obviously in trouble. At the same time, examples submitted to the DuPont-Columbia Awards jurors again demonstrated the growing technical competence and imagination of local producers.

News competition between stations remained strenuous, with two-thirds reporting increased competitive intensity in their markets and all but a handful of the remaining one-third seeing the fight going on at its former high level. More than half of those reporting acknowledged that ratings were an important factor in determining the content of their local newscasts. The competition and concern over ratings were not, however, reflected, as in former years, by an upswing in the employment of news consultants.

Group W was again a local trailblazer, pioneering in two fields where a leader was sorely needed. Its *Evening* magazine was stripped into the local prime-time access slot on all five of its major-market TV stations, and was syndicated as *P.M.* on eleven non-Westinghouse outlets, with local segments contributed by participating stations. The program quickly climbed to second place in the ratings for its time period, showing that an informational offering could hold its own against *The Newlywed Game*, *The Gong Show*, *The Cheap Show*, *Bonkers*, or *The \$1.98 Beauty Show*.

The I-Team at WBZ-TV, Boston, was set up as a model for the rest of Group W, with its own staff of seven, offices, equipment, and budget, and put to investigating significant subjects. Its first appearance on WBZ was with "A Question of Ethics," an investiga-

tion of local political hanky-panky that ran thirty-nine minutes on the station's evening news with no advertising breaks, and made long-lasting waves in the community. A second I-Team report, "No Room in Suburbia," on the failure of fair housing, was equally impressive.

There were, as before, many other individual examples of journalistic excellence scattered across the country, often from stations which had proved themselves in earlier performance.

Although the local news picture seemed both lively and bright, when looked at piecemeal, a note of anxiety

'Thirty-nine minutes of hanky-panky with no advertising breaks made long-lasting waves'

crept in when news directors addressed themselves to the state and prospects of broadcast journalism as a whole. From Minnesota:

I continue to believe that broadcast journalism (both local and network) remains in a sort of catatonic state. We have passed the early excitement of the ENG [electronic news gathering] age, and the era of exciting and dramatic issues and events. The world seems to be waiting, and broadcasting seems to be content to wait, too. News coverage generally seems to be more event-oriented and less issue-oriented—spot news seems more prominent on the network newscasts, and on the local scene as well. What we seem to need is some good solid news to cover—to wake us up again, and to wake the viewers up again. . . .

From Pittsburgh, another respondent complained of "the lack of resources available to the individual reporter who needs background or other research materials. Stations that spend literally millions on sophisticated equipment don't spend a single dime on a resource library."

From Philadelphia:

There is a curious ambivalence in the business today, with trends toward more serious journalism and increasing credibility running parallel with trends towards more "show business" style of news presentation. *People* magazine's success has infected the broadcast media as much as the print media.

From Chicago—the spawning ground of Happy Talk news:

At the local level, things seem to be looking up, with stations becoming more serious in their approach to news. The happy talk era may be fading, although it will never completely die off. Unfortunately so much money hangs on the ratings of nightly newscasts . . . that other program areas—especially documentaries—are nearing extinction. We might even say that at the local level, the documentary belongs on the endangered species list.

From Jonesboro, Arkansas:

It could be we're headed toward a time when the only thing that matters is the news rating. Competition is a healthy thing. But it can be taken to extremes, and we're beginning to see such extremes around the country. . . .

Why do we think we have to have the highest ratings in every time slot? Why can't we think more in terms of the quality of our work, instead of just the ratings? Surely there can be more satisfaction in that than in something as temporary as this month's ARB.

Ultimately, we're on the air to perform a valuable role in our communities through news programming. That responsibility is too important to be left to something as fickle as ratings. . . . surely over the long haul, the people who do the best job of covering the news also will be the ones who get the biggest audiences.

And from the management side came the toughest talk of all. Roger Clipp, former head of the Triangle Station group, told broadcast associates:

I believe the industry has fallen short in many ways. It is about time that some broadcasters looked and listened to their own stuff and measured it against the yardstick of the common good. Is it right for a broadcaster to take so much and give so little back? Aren't pretax profits from 30 percent to as high as 55 percent a bit much? Aren't there just too many commercial interruptions, too much clutter, on both radio and television? Aren't the people entitled to a better break?

I don't believe there is no longer opportunity for creativity in community service programming. How many broadcasters today have a really meaningful public service manager in their station table of organization? The sales manager carries a lot more weight and has a greater influence in programming than the public service manager does.

I know most of you will walk away from here and say yours truly is living in a dream world, that you're in the business to make money and that you're meeting your public service requirements and that your license is secure. Well, maybe your licenses are secure and you're doing enough by somebody's standards. But I have known better days in broadcasting, when people really cared and people really made an effort to serve. I hope that interest still exists.

RADIO: AN UNEVEN MEDIUM

The signs from radio news and public affairs were difficult to read. Of the nation's 9,000 radio stations, fewer than half listed news directors on their tables of organization. Of those few who wrote to the DuPont-Columbia Survey, most reported an increase in management support in both budget and staff.

There were bright moments in radio programming.

**'For mass audiences,
sex and violence, Hollywood
gossip, astrology and perversity,
cops and robbers'**

NBC's exemplary *Second Sunday* series persisted, as did National Public Radio's *All Things Considered*. Occasional monumental efforts, such as NPR's 300 hours of coverage of the Panama Canal treaties debate, were shown to be possible. The number of all-news radio stations had increased from 74 in 1976 to 111 in 1978, and they sometimes produced strong journalism.

Still, community by community, the situation in radio described by DuPont-Columbia correspondents

was not heartening. Few reported any improvement in quality and several noticed a conspicuous decline.

Typical was the response from Wisconsin:

Three kinds of radio news—related to formats: FM rock stations, almost no news. One- or two-man departments. Minimal time and effort on news. Mostly in the 6-10 day part. Emphasis at these stations is the music, and nothing is allowed to interfere. Same principle applies to beautiful music stations getting their violins on tape from syndicated service, and country stations generally. If radio is there for music, then news is a tune-out.

High profile top-40 stations . . . compete for mass audience in the mornings . . . have sex and violence, Hollywood gossip, astrology and perversity, cops-and-robbers news. Read by hyped-up, melodramatic voice. Idea is to attract attention, make the news a tune-in. And it works very well. These top-40 stations attract huge audiences in the mornings. Even those who claim to hate the sensationalism of the morning news tune in, according to ratings.

The third kind of radio news is traditional, serious, consistent, adult journalism. Boring but responsible. Found on MOR [middle of the road] stations because they use news, traffic, weather, sports, service, information, talk as essential components of the format. . . . The news-talk audience for radio is very old. Over 45 or 50. So in radio the pressure is for no news—as in the FM rockers, C&W, or beautiful music. Or sexy Gong-Show news—as in the top-40's.

From Virginia a correspondent wrote:

Our all-news station did not survive. Noon news was cut from half hour to five minutes. Often, on all stations, they appear to be reading you the morning paper.

And from Indiana:

It seems to me that radio in this area is just stroking along. There is much breathless reading of the wire on small town stations, and it is read by d.j.s and poorly trained young people. There are exceptions: stations in the Ft. Wayne market are very active with local government coverage and are very much on top of the local politicians. The Indianapolis market has two strong radio news operations, which do both straight reporting of local news and investigative reporting on local and county government.

A NEW COMMUNICATIONS LAW?

Lack of money, public apathy, management interference: these were the impediments most often cited by the nation's news directors as standing in the way of good broadcast journalism. Fourth on the list was government interference and fifth, overregulation.

It is in these last two, however, that the principal backstage excitement in broadcasting has taken place since the last DuPont-Columbia Survey. And it is here that one finds the clearest indication of the rocky times that may lie ahead.

In the first week of June 1978 the long-awaited revision of the 1934 Communications Act finally surfaced. The draft legislation was the pet project of Representative Lionel Van Deerlin, a Democrat and a former broadcaster from San Diego. The main thrust of the Van Deerlin document was toward dramatic deregulation of an industry which for decades had been complaining about government intrusion, but at the same time soliciting official protection when its prerogatives seemed in danger.

The bill contained several potential drawbacks for news and public-affairs departments. Prominent among these were:

1. The abandonment of the "public interest" standard. Though scoffed at as meaningless and, even worse, idealistic, the old law's admonition to serve "the public interest, convenience and necessity" had been for decades the fragile barrier behind which embattled news and public-affairs operatives took shelter when management complained about the balance sheet.

"We thought the phrase never really meant anything to the users of the airwaves and to those who regulate the industry," said Van Deerlin. "A lot of games have been played with it, and there have been a lot of empty promises made to serve the public interest. But stations automatically received license renewals no matter what they promised and no matter what the quality of their product."

When Vincent Wasilewski, president of the National Association of Broadcasters, and Nicholas Johnson, chairman of the National Citizens Committee for Broadcasting, usually in opposite camps, both came out in defense of the scorned concept, Van Deerlin grumbled that "although neither of them was able to define the term, perhaps they agree with what Justice Stewart once said about obscenity—even though they can't tell you what it is, they know it when they see it."

2. Delicensing, immediate for radio, gradual (over a ten-year period) for TV. Licensing had long been considered the major affront government offered broadcast journalists, depriving them of their claimed First Amendment rights and rendering them second-class citizens.

But here again, the lifting of the license requirements, so devoutly wished for so long, seemed to journalists less desirable once offered. The assumption that management, relieved of the possibility of license challenges, would improve or even equal its former news and public-service performance, appeared unrealistic. Indeed, Frank Maniewicz, president of National Public Radio, pointed out in his critique of the bill that public radio would need more freedom and less governmental intrusion if it were to "pick up the slack" in news and public affairs which he anticipated that commercial deregulation would leave.

3. The elimination of ascertainment, a time-consuming process that required the broadcaster to listen to representatives of various interests in the community. Again Van Deerlin's know-how as a former broadcaster prompted him to cynicism. "Bunk," he said. "I mean, you listen to the same prattle time after time. The stations don't hear anything they don't already know."

Still, ascertainment remained one of the few means, with license challenges, by which the public could address the users of the air that once had been considered public property. Further, the material brought up in ascertainment meetings in most instances was related to the responsibilities of stations' news and public-affairs departments. If it did not always stimulate an improvement in news scope and quality, at least the process served to remind management that it had obligations to the community in general as well as to its

stockholders, and that news and public-affairs programming was one way to meet them.

In one instance, that of the four Post-Newsweek stations, ascertainment had led to an annual, three-and-a-half-hour, prime-time, public-affairs broadcast designed to explain what management was doing for the community and to allow members of the community on-air access to the station's managers and staff.

4. Elimination of the fairness doctrine for radio and its transformation into a nebulous "equity principle" for TV. Broadcast journalists had long fought the doctrine, which mandates that stations allow air time for

‘Bunk.
I mean, you listen to the same
prattle time after time’

rebuttal and for balanced discussion of issues, as an affront to their constitutional rights. The doctrine was cited twice as often as any other of the laws and regulations to which radio and TV news directors took exception in their responses to the Survey.

Yet they might do well to listen carefully to the doctrine's defenders before they join the hanging party. Ralph Jennings, the deputy director of the Communications Office of the United Church of Christ, said in testimony before the Senate Subcommittee on Communications:

It seems clear that we can attribute a great deal of the news and information on television and radio stations to government regulations, rather than to the enthusiasm of broadcasters for airing news and important controversial issues. In all probability, many of the broadcast journalists who argue most vigorously against the Fairness Doctrine owe their jobs to that F.C.C. policy.

Moreover, the threat the doctrine posed seemed not to justify journalists' animosity. According to past figures, "a broadcaster might expect to be faced with a fairness inquiry every 75 years, and an adverse ruling from the Commission about every 500 years," Jennings pointed out. "It is inconceivable that the pale threat of fairness complaints should thwart a broadcast licensee in its search for truth and its exercise of free speech."

5. The proposed translation of the seven-member F.C.C. into a five-member Communications Regulatory Commission with sharply reduced powers. Although traditionally the F.C.C. has been accused of aligning itself with the industry when a difference between public and private interests arose, it has on occasion rapped the knuckles of management for inadequate service to the public and come to broadcasters' defense when they have been attacked for taking journalistic chances. Without the F.C.C. there would be one less possible goad to management's conscience and one less judgment seat for broadcast journalists and their advocates to appeal to.

6. The imposition of "spectrum use fees" on com-

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mercial broadcasters, which would help support, among other things, the public broadcasting system. At least one assumption implicit in this recommendation should be discouraging to broadcast journalists—that by paying a fee the commercial broadcasters in good conscience could finally give over to public broadcasting all those programming obligations which they had in the past found onerous, inconvenient, and unprofitable—in many instances those having to do with news and public affairs.

The provision was no more attractive to the public broadcasters, who saw danger in the potential establishment of a National Telecommunications Agency, which would spend the fees. Such a procedure, according to Henry Geller, head of the National Telecommunications and Information Administration, would allow government to “apply the pressure of the purse to stations producing or carrying programs which displeased the agency or the incumbent administration.” A complementary prohibition against public broadcasting’s accepting contributions for specific programs from outside contributors could further weaken the erratic support for its news and public-affairs programming.

Negative comments far outnumbered the positive in the initial reactions to Van Deerlin’s Communications Act of 1978. Among the most emphatic were those from F.C.C. Commissioner Tyrone Brown, who said the rewrite as it stood “would permit broadcasters to totally ignore discussion of controversial issues in their programming” and “completely disregard the needs and interests of groups which aren’t the prime targets of commercial advertisers.”

Dr. Everett Parker, the head of the Office of Communications of the United Church of Christ, was predictably scathing:

The committee’s proposals are a disgrace. They intend a bigger giveaway of public rights and property than Teapot Dome. They will perpetuate entrenched monopolies in violation of the principle that the airwaves belong to the people.

Parker agreed with many of his accustomed adversaries, who felt that the rewrite would abandon a system that, though imperfect, had served reasonably well during the thirty-five years of its existence. More specifically he said that the new act

... would divert us from creative policy planning, from regulations that mandate diversity rather than monopoly in ownership, from protection of the First Amendment rights of the public. They would substitute a “free market” that would permit the unplanned exploitation of new technologies according to their potential for private profit rather than the public benefit. We cannot afford the luxury of such an improvised, short-sighted communications “non-policy.”

Despite substantial opposition, the prospect was that Van Deerlin had established the momentum that would eventually lead to an overhaul of the regulatory system.

THE “NEW TECHNOLOGIES”

In introducing his Communications Act of 1978, Van Deerlin explained that his intention was “to put the burden on established technologies to show not that their interest will be damaged by the introduction of new technologies, but that the public interest will

somehow be impaired.” In this statement the “established technologies” were assumed to be mainly broadcasting, and the “new technologies” principally cable.

The Van Deerlin bill, by virtually ignoring cable, seemed to sanction cable’s complete deregulation so far as the federal government was concerned. For nervous broadcasters, this merely reinforced their belief in a growing pro-cable bias in Washington. The chairman of the Senate Communications Subcommittee, Ernest Hollings, followed up his promise to give cable a “legislative mandate” by including provisos in his 1979 draft of a communications law that would free cable of many present restrictions. F.C.C. Commissioner James Fogarty had already said flatly, “Cable regulation has got to go.”

It mattered little that cable interests did not particularly want to be wholly deregulated, or at least not if it meant giving up a single federal overseer in exchange for numberless state and local rulemakers. What was important was the indication of cable’s increasing closeness to the centers of government power.

Moreover, as the 1980s approached, the suddenly prosperous cable industry was being joined by a dozen other “new technologies”—satellites, fiber optics, video disks, video tape recorders, super-stations, pay-and two-way TV—all potentially damaging to conventional broadcasting.

Even conservative estimates put the number of cable subscribers up to more than 15 million (nearly 20 percent of TV households) by the end of 1979. When 30 percent of the nation’s TV households were wired, cable could be considered competitive with other media for advertising—a point until recently assumed to be at least a decade away but now, according to some industry prophets, attainable as early as 1981. The number of subscribers to pay cable, the medium’s box-office programming, is considered another indicator of growing health; the total stood at 1.6 million at the end of 1978, with 40 percent growth anticipated in the following twelve months. Cable revenues increased 16 percent in 1978 to reach \$1.2 billion, with an equal increase predicted for 1979. Long-term projections were even more encouraging.

The most glowing report on cable’s present and future came from its principal competitor, the National Association of Broadcasters. According to the N.A.B.’s “Cable Television 1978: A Closer Look”:

Within the next few months, cable systems will be able to select from among 10 to 20 program channels distributed nationwide for their use via RCA Satcom I and Western Union’s Westar. Program services available now or in the near future include seven pay cable channels, five major market independent stations, three religious program services, one advertiser supported news service, two advertiser supported entertainment program channels and continuous coverage of the U.S. House of Representatives. . . .

Approximately 2,500 of the nation’s 4,000 cable systems now sell advertising.

While only 18 percent of the country’s television households are wired at present, cable subscribership has topped 30 percent in at least 69 of the nation’s television markets. . . .

Warner Cable has built a system [QUBE in Columbus, Ohio] which incorporates many of the services long promised by cable. In addition to its quota of local distant broadcast stations, the QUBE system offers numerous non-broadcast program channels which require payment of per-program (or per-day) charges. Their programming includes first run feature films; classic films; adult films; cultural events such as opera, ballet and classical concerts; news; nightclub acts; films of Broadway plays; and other made-for-pay entertainment specials. . . .

In sum, cable is on the verge of becoming the "television of abundance" envisioned in the late sixties. It is taking

'The currents are swift and uncertain if ever we loosen the regulatory stays'

advantage of new technologies to provide an expanding array of first rate entertainment programming and to test the market for entertainment and non-entertainment programming of interest to only narrow segments of the viewing audience. Whether cable can establish itself a permanent role in the media marketplace remains to be seen. Much depends on how it is regulated and how effectively it will be able to compete with other communications technologies, both new and old. Meanwhile, cable is growing and developing each day.

The report then described the unfair advantages in prospect for cable in Washington and suggested that all broadcasters pass on to the F.C.C. first-hand accounts of how cable affects their operations. "Broadcasters' response undoubtedly will play a large part in determining what the future holds," the report concluded.

The N.A.B. itself submitted a study ordered from Charles River Associates. Its main conclusion: "There is almost a direct correlation between audience loss to cable and drops in station revenues. If a station loses 10 percent of its audience, it can expect to lose from 8 percent to 11 percent of its revenues. . . . The evidence is now on the record. It is conclusive. . . ."

So far there was no evidence of a serious nationwide decline in TV viewing attributable solely to cable. For an estimated 3 percent across-the-board-drop—which might or might not be permanent—there were several possible contributing factors in addition to new technologies: a growing audience for public television—up 13 percent in the 1977-78 season—successful fourth-network operations, and the sale of millions of video games. Network and local newscast ratings, although they wobbled now and then, gave no indications of any long-term sag.

Still, the question hung there. What was going to happen if cable and its attendant technologies grew to the point where the networks and local stations felt they no longer could afford to furnish the public with news and informational programming? Would the cable industry be ready to come forward with adequate substitutes?

Charles Ferris, chairman of the F.C.C., speaking to the annual convention of the National Cable Televi-

sion Association, painted a grim picture. Although he gave little quarter to commercial television, he was even harder on the cable operatives he had been invited to address:

The American public is dissatisfied, I think, with a television service of limited choice—caught in the iron grip of the ratings competition. The commercial networks and their affiliates compete for the lowest common denominator to gain a massive audience. The economics of their industry drives them to this. The result is that there are substantial numbers of viewers with specialized interests left unsatisfied.

You can provide these services if you want to—now. There are no regulatory barriers holding you back. But where are your innovators—your bold and farsighted pioneers?

Regulation has perhaps kept your industry "fixed" in place so long that you now seem to have a regulatory fixation. You are too often more concerned about maintaining the status quo than in focusing on the new services and the new technologies that will stimulate a viable and dynamic industry. But you had better begin developing a real competitive fixation, because the currents are swift and uncertain if ever we loosen the regulatory stays. . . . You have long complained that our regulatory policies were too protective of one industry and based on the special relationship of the industry to the regulators. You may well have been right. But now that you are coming of age as an industry, you seem to want just such a special relationship.

Although much had been discussed and promised in the area of news and public affairs by cable, little had been delivered. Typical was Home Box Office's plan for *NewsPlus*, an all-day video news and information service, which was suspended in the summer of 1978 after three twenty-minute pilots were shown to major cable operators. The reasons: lack of national advertisers and too few cable homes on the line. There were no plans to revive it.

Viacom International, whose *Showtime* was H.B.O.'s principal competitor, announced that it intended to begin presenting news programs and independently produced documentaries fairly regularly in 1978. By October 1978 it had aired a pilot of *What's Up, America?*, an hour-long "docu-entertainment" magazine show that featured honeymoon hotels in the Poconos, an erotic bakery in New York, and an improvisational group in L.A.

Ted Turner, president of Turner Communications, operator of WTCG, Atlanta, the nation's first and most successful satellite-transmitted super-station, also proposed his own Cable News Network. A twenty-four hour operation, it would include "a full network-quality live newscast" and ten minutes of commercials in each hour. Estimated costs were \$15 to \$20 million for start-up and \$2 million a month for operation. Turner said he could start by 1980 if he got commitments from systems totaling eight to ten million subscribers.

Already on Satcom I was U.P.I.'s audiovisual service—still photographs and audio "actualities" offered twenty-four hours a day with fifteen-minute hourly broadcasts that included news, sports, business, weather, and features. With forty-five cable systems subscribing, U.P.I. anticipated more than a million circulation by 1981.

continued

The most conspicuous example of cable reaching beyond the status quo was the non-profit Cable Satellite Public Affairs Network, which carried the newly instituted gavel-to-gavel coverage of the House of Representatives starting in March 1979. It had persuaded ten cable companies, comprising hundreds of systems reaching four million households, to plug in for a fee amounting to a cent and a half per household per month.

UP AGAINST THE JUDICIARY

Finally, there was the continuing battle over First Amendment rights. The broadcast community's concern was perhaps most conspicuous in the matter of the Supreme Court's *Stanford Daily* decision of May 31, 1978, which permitted police officers to search news offices with only a warrant. At least seven broadcasters had suffered such visitations.

William J. Small, CBS senior vice president, testified before a Senate Committee on the Judiciary, said:

Many a delicate story reported by CBS News has had a Senator, a Governor, a Cabinet Member, even a President as its source. Would any of you be comfortable if you felt we would not protect your anonymity? . . . CBS News has overseas bureaus in 14 countries. In my memory, none has ever been invaded by police on any premise. Even in Moscow, where our rooms may be bugged and our reporters followed, the police have never invaded our newsrooms with or without a warrant. But it can happen here.

Even more chilling was Howard K. Smith's June 2, 1978, commentary on the *ABC Evening News*:

When I was a new young reporter at the United Press in Nazi Berlin, manning the all-night shift alone, one early morning there was a knock on the door. I opened it, and 15 Gestapo men barged past me, began opening every desk and studying every piece of paper they could find. Their chief told me one of our staff was illicitly reporting bomb damage in the city and they were out to find out who he was.

Six hours later they left, with the names of all of our confidential sources on everything, and for a while put us out of the business of reporting the true news. I remember thanking God this couldn't happen in America.

Well, now it can. Two days ago, the Supreme Court ruled that police may now raid without warning any news office in America, rifle and study all of its papers, based only on the easily obtained warrant of some political judge with a built-in grudge against the media.

It is the worst, most dangerous ruling the Court has made in memory, violating the First Amendment of freedom of the press and the Fourth, forbidding unreasonable search. Rejected by two eminent lower courts, what can only be called a police state action was given a go-ahead by our highest court.

I do not normally comment on our internal press problems. But this is an enormity that could prevent the public knowing what a poor government and a rampant bureaucracy are up to when the over-tired public needs most to know. May there be a public outcry for reconsideration of this Nazi-like ruling.

The most important legal victory proved illusory. Chief Judge Irving R. Kaufman wrote a masterly majority opinion as the U.S. Second Circuit Court of Appeals in New York ruled that Barry Lando, producer of a 1973 *60 Minutes* segment on Lieutenant Colonel Anthony B. Herbert, after supplying twenty-six volumes of testimony in a multimillion-dollar libel suit,

did not have to answer questions having to do with his thought processes while preparing the piece.

Judge James Oakes concurred: "As soon as facts are set in their context there is editorial selection; as soon as that process is subject to scrutiny, there is a suppressive effect; and as soon as there is such an effect, the freedom of the press has evaporated."

As with the *Stanford Daily* case, however, the Supreme Court chose not to accept the lower-court decision and, this April, reversed it.

In another embattled season for broadcast journalists, the most discouraging note was struck, not by a hard-nosed rewrite of the communications act, nor a clutch of technologies which might undermine current news operations without promising an equal service in their place; nor the hostility of the courts; nor, indeed, the unending struggle for respect and support from public, management, and sponsors. It was the response to a wistful suggestion from broadcasting's single most powerful man, builder of history's most successful network, and the one with the most distinguished record, year by year, in news and public affairs.

In his autobiography, entitled *As It Happened*, seventy-seven-year-old William Paley, chairman of CBS, after a lifetime of in-fighting and tough decisions that affected the whole character of broadcasting, described the scene he had to a great extent set, and would soon leave.

It's true that the shows which contribute to the total ratings picture have become more important today than they ever have been. The competitive conditions give more and more reason not to put on high quality shows. And that's why we have to do what we can to get around the ratings system to concentrate on programs that meet the highest standard of television.

My inner feeling is that now the time has arrived when a large part of the American public is asking for a new, major change in television programming. High-quality programs in prime time may be the beginning of such a change. . . .

If we must compete, I would like to see the three networks vying to put on the very best program of the year . . . best in quality, not in audience ratings. It seems to me that the networks should seek out those subjects that are not popular with the mass audience and treat them on the air so that they would be more easily appreciated. . . .

The proposal, which Paley admitted he had made ten years earlier unsuccessfully, brought thanks-but-no-thanks answers from his counterparts at the other two networks, and an even bleaker response from *Broadcasting*:

The idea of shared responsibilities for "quality" programming is of early vintage. . . . All proposals share the failures of Mr. Paley's to recognize that mass culture is not synonymous with vulgarity or junk, that "quality" is all but certain to elude any bureaucratic search for two hours of it a week and that an extraordinary range of information and diversion is provided by television now.

They also share the obvious assumption that the television system as now constituted is the only one that the country will ever have. With the stringing of every mile of cable, the delivery of every video cassette machine, the launching of every communications satellite, that assumption becomes more tenuous. The least progressive course the networks could take would be a joint cop-out from competition. ■

UNFINISHED BUSINESS

Labeling Jim Jones

TO THE REVIEW:

Thank you for the recognition you gave to Accuracy in Media for having pointed out that Les Kinsolving's exposé of the Rev. Jim Jones had been partially suppressed by the *San Francisco Examiner* in 1972 ["Echoes of Jonestown," *CJR*, March/April].

Your otherwise excellent comment was tarnished by an unwarranted criticism of our observation that the news media scrupulously avoided calling Jim Jones a communist, which he was, while rushing to label him a fascist, which he was not. Your comment is that in making this statement I seemed "chiefly concerned that fascism might get a bad name." You added that my evidence was "thin."

I very much resent this baseless implication that I have some sympathy for fascism. Fascism has a bad name, and deservedly so. What troubles me is that so many journalists in writing about Jim Jones could not bring themselves to associate this monster with communism. You say that my evidence was thin, but the fact is that the evidence that Jones was a communist is overwhelming.

He was trying to negotiate the movement of his group to the Soviet Union. Three survivors of the Jonestown massacre were ordered to deliver a suitcase full of cash and jewels to the Soviet embassy in Georgetown. The will of Jim Jones provided that his estate should go to the American Communist Party in the event that none of his immediate family survived him.

But the most interesting evidence of all was the transcription of an interview with Jones that was found at Jonestown and published by the *Georgetown, Guyana, Chronicle* on December 6, 1978. In this interview, Jones told how he broke with the Communist party when the party criticized Stalin. Jones said, "I loved Stalin." He also told how he obtained his first church, when the Methodist superintendent who gave it to him knew that he didn't believe in religion and that he was a revolutionary.

Nothing proves the reluctance of the media to discuss the real beliefs of Jim

Jones better than the fact that, as far as we have been able to determine, only *The New York Times* has even mentioned the existence of this document.

REED IRVINE
Accuracy in Media
Washington, D.C.

Minorities and the newsroom

TO THE REVIEW:

"The Minority Struggle for a Place in the Newsroom" [*CJR*, March/April] continues to meet opposition from white editors, publishers, and even reporters because they are unwilling to give up the quota system that ensures their hiring, their promotion, and their access to decision-making power at the expense of black and Hispanic journalists.

White opposition is based on something that hasn't changed since 1968 or 1969: racism. This racism can be seen in the token numbers of black and Hispanic reporters newspapers are willing to hire, in the lack of opportunities once we are hired, and in the woefully slanted and inadequate coverage of our communities.

As a reporter for the *New York Daily News* for almost five years, I have had a ringside seat at one of the nation's leading racist sideshows. Unfortunately, the *News* is probably not different from other large newspapers (or small). The answer?

It is not the training programs Nick Kotz seems to place so much faith in, though they can certainly be helpful. In spite of what *Washington Post* city editor Herbert Denton said, the only place many young black reporters are going today is back out the door, discouraged by the failure to be given the same opportunities given white reporters of equal or lesser ability. The only permanent solution will be to find white editors and publishers with a greater sense of professionalism, commitment, and decency than the present wielders of power.

Let no one hold his breath.

CLINTON COX
Reporter
Daily News
New York

TO THE REVIEW:

Nick Kotz wrote that "at the *Democrat & Chronicle* and the *Times-Union*, Gannett newspapers in Rochester, New York, it took lawsuits and a unified protest by blacks to secure the appointment of a black assistant city editor and the discussion of a long list of grievances." Kotz has explained that by "lawsuits" he meant complaints filed with the New York Division of Human Rights.

The fact is that those complaints were filed nearly four months after the editors of the *Democrat & Chronicle* and the *Times-Union* began a series of meetings with our black journalists to discuss their grievances. The first meeting between the editors and the blacks was June 20, 1978. Eight additional meetings were held before two black journalists filed complaints with the New York Division of Human Rights on October 16. During the time between June and October we agreed to begin the process of correcting several of the grievances expressed by the black journalists. In September, we promoted a black reporter to assistant metropolitan editor of the *Democrat & Chronicle*.

I think the record needs to be corrected to show that the complaints to the New York Division of Human Rights were the result of individual decisions by two journalists and in no way influenced our decision to begin to work out solutions to problems properly raised by our black journalists.

ROBERT H. GILES
Executive editor
Gannett Rochester Newspapers
Rochester, N.Y.

TO THE REVIEW:

My observation, quoted by Nick Kotz, that the "academic community is simply not amenable to affirmative action" cries out for some elaboration.

By "amenable," of course, we mean subject to order. Obedient. Or responsive to discipline. Because of the educational establishment's tradition of academic freedom, the intangible character of its standards and practices, and an assortment of professorial privileges and prerogatives, it is difficult to obtain com-

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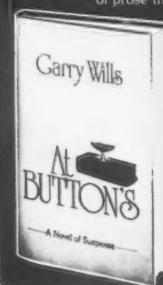
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UNFINISHED BUSINESS

pliance, in affirmative action, in the absence of true commitment.

Some departments and schools of journalism have made the needed commitment, and I did not intend to imply that these were not committed. Others are not, however. The elemental statistics make it plain enough.

Now, where is the resistance to affirmative action in education for journalism? It's a complicated situation, of course, but several factors of a critical nature can be identified.

First, we have failed to move, generally, beyond the elementary level of equal opportunity, or absence of outright discrimination, to the level of affirmative action—a good-faith attempt to locate, recruit, train, and integrate minorities into our organizations.

Second, we continue to recognize professorial privileges and prerogatives (academic compatibility, organizational harmony, familiarity with traditional approaches to scholarship, popularity with students and associates, etc.) as higher priorities than affirmative action.

Third, we persist in refusing to acknowledge that we are heirs and products of a racist culture, and all have far to go, still, in purging ourselves of that legacy.

Fourth, we're afraid. Because of financial difficulties that have made retrenchment necessary, some schools are quite uptight. Under such circumstances, whistle-blowers and other "trouble-makers" can expect little mercy, even if their cause is a noble one like affirmative action.

These are some of the reasons that academe is not amenable, in some of its groves, at least, to affirmative action.

JOHN DE MOTT
Department of Journalism
Temple University
Philadelphia

TO THE REVIEW:

"The Minority Struggle for a Place in the Newsroom" will be made easier when majority editors recognize that blacks are capable of analytical journalism.

Correction

Acel Moore was incorrectly placed at *The Philadelphia Bulletin* in the March/April issue ("The Minority Struggle for a Place in the Newsroom"). He is a reporter for *The Philadelphia Inquirer*.

One wonders what the Nick Kotzes of the world would do if they couldn't write about colored people.

CHUCK STONE
Senior editor
Philadelphia Daily News
Philadelphia

When the beating happened

TO THE REVIEW:

As one who voluntarily left *The Kansas City Star* in the midst of the Capital Cities Communications changes there last year, I can't keep from commenting on the events portrayed in George Kennedy's piece ["Up to Date in Kansas City," *CJR*, March/April].

Kennedy said *Star* reporter Roger Moore was beaten just a few nights after the paper had published his story on the Soap Box Derby (in which he said carpenters at the *Star* were helping to build two racers). Later, Kennedy says, Moore got a call allegedly from the Associated Press, and actually from Cap Cities corporate offices.

The facts are that Moore wrote the story; it was rewritten, then published; then Moore got a call from the alleged A.P. reporter. Weeks later came the beating.

MIKE MCGRAW
Reporter
Des Moines Register and Tribune
Des Moines, Iowa

Sounding the advance

TO THE REVIEW:

The "dart" you presented to the *Advance* in the March/April issue [for an apparent conflict of interest between editorials opposing the relocation of a social service center, and the real-estate interests of a relative of the associate publisher] is misdirected.

I can tell you that our associate publisher Richard E. Diamond assumes little direct involvement in the development of editorial policy and has never, in the thirteen months that I have been writing editorials, suggested to me even a topic for an editorial, much less dictated a position the newspaper was to take.

At no time did Diamond or the *Advance's* managing editor, Les Trautmann, suggest that I write about efforts to relocate the social services office. To a casual observer aware of only the fact that Diamond's aunt is the landlord of the building presently occupied by the social services office, the *Advance* edito-

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rials indeed might seem to be self-serving. But I had absolutely no idea of who the landlord of the building in which the social services office was located happened to be.

PETER HARRIGAN
Editorial page editor
Staten Island Advance
Staten Island, N.Y.

Battered polls: round two

TO THE REVIEW:

Your editorial "Battered Polls" [CJR, January/February] troubled me. "Possibly not since 1948," you write, "have vote polls come out so shakily as in the campaign just past." Apparently relying on a *Boston Globe* survey, you cite four newspaper polls which had the eventual winner trailing his opponent and three which showed the eventual winner ahead. My own information is not comprehensive, but it suggests a somewhat different scorecard, and, for what it's worth, I'd like to share it with you.

During the final weekend before the last election, Mary Frances Lichak of the CBS News Special Events Unit called many of the news organizations which had been conducting election-

related polls to get their final reports. The survey missed some, but it did get to twenty-three papers which had polled in thirty-three races for governor and senator. The accompanying chart, which is based on that survey, shows the final poll figures and the actual election returns.

As the chart demonstrates, only in four of the thirty-three contests was the eventual winner shown behind. This does not mean that the polls in the other races were necessarily models of professional technique. Some were. Some undoubtedly were not. But it would be a mistake to think that a large number were out of step with the real outcome. The great majority came out the same way the election did.

As for how newspapers—or broadcasters—use polls, before I can make

any judgment on that I would want to see not only what the numbers were but what interpretations were given them. Most of the polls I see do not confine themselves, as your editorial suggests, to "horse-race" questions and answers. They are also likely to relate voter preference to stands on issues and perceptions of character and competence. This, it seems to me, is useful information.

Your editorial goes on to make a case—only slightly hedged—for news organizations abandoning election polls. That case is based on three premises, all of which seem questionable to me.

You cite the limitations of polls and then say that, in view of these limitations (which are acknowledged by most people who use them), polls fail because news "to be truly accurate must not be misleading." It seems to me that you need some evidence that polls are, in fact, being published in stories that do indeed mislead the reader. Most of the poll stories I've read make a reasonable effort *not* to mislead. To the extent that some do, this, rather than polling, is what needs to be corrected.

You write that "it is axiomatic that news of a political campaign ought not to be capable of use as the weaponry of one

Deadline

The editors welcome and encourage letters from readers. To be considered for publication in the July/August issue, letters to the *Review* should be received by May 21. Letters are subject to editing for clarity and space.

In the early part of the Eighteenth Century human slavery was an institution so well established, so widespread, and considered to be so in the nature of things that it was perceived by most people to be inevitable and immutable.

Nonetheless, over the next hundred years a small number of individuals and groups spoke out; they did not equivocate. They raised the consciousness of others who pressed their governments to end the slave trade and later the institution itself.

In our time, responsible individuals throughout the globe

have come to recognize that technological developments have made it imperative to abolish organized warfare as an accepted human institution.

We are aware of the tenacious hold the war system has on world political, economic and cultural institutions. It is for that reason the Wallach Awards competition has been organized. It is a call for fresh thinking and bold writing to question the validity of the war system and to stir the public conscience and imagination. Our purpose is to bring about a new climate of informed public opinion

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Automated equipment laying continuous welded rail.

Fact:

America's freight railroads spent a record \$10 billion in capital improvements and maintenance in 1978.

The only thing legendary about today's freight railroads is their record investment in track and rolling stock last year. 1979 plans call for increasing even those massive expenditures by about 20%.

In 1978, the railroads put more than 1,300 new and rebuilt locomotives into service and ordered more than 125,000 new freight cars. In addition, more than 4,700 miles of track has been replaced with new rail in each of the last two years—some 58% more than the yearly average in the previous ten years. And new crossties installed averaged more than 27 million in 1977 and 1978—36% above the 1966-1975 average.

These huge investments help increase efficiency and improve service. Just as important, they help improve safety. Even though rail traffic has increased substantially, total deaths and injuries from rail accidents continue to decline and have reached the lowest levels since record-keeping began in 1891.

Additional investments by railroads and suppliers in continuing research provide other benefits as well—development of better, stronger track and even safer cars for moving vital hazardous materials. Railroads provide 70% of the transportation for the commodities classified as hazardous, excepting only petroleum, but they are involved in less than 9% of the accidents involving hazardous materials.

For more information about America's surprising freight railroads and their multi-billion dollar investments in safe transportation, write to: Association of American Railroads, American Railroads Building, Washington, D.C. 20036.

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UNFINISHED BUSINESS

candidate or another." I just don't know how you can do any kind of coverage of a political campaign without repeatedly providing information that can be so used. But if reporters start suppressing—or not seeking—information to forestall such usage, journalists will be heading down a very dangerous road—in political or any other type of reporting.

Lastly, you write that "news of a political campaign in general ought to add to the public's ability to make voting de-

cisions." Obviously, political news in general will do that. But are you really suggesting self-censorship that would suppress any campaign reporting that does not tend to enhance voter decision-making? If so, it seems to me that, once again, you are applying a use test to political journalism whose broader applications you would probably reject.

MARTIN PLISSNER
Political editor, CBS News
Washington, D.C.

COMPARISON OF POLL RESULTS AND ELECTION RETURNS

Newspaper	Gubernatorial Contests			Senatorial Contests		
	Candidates	Poll	Vote	Candidates	Poll	Vote
Anchorage Times	Hammond	36%	39%	Stevens	82%	76%
	Hickel	23	27		10	24
Akron Beacon Journal	Rhodes	43	51	Cohen	54	57
	Celeste	43	49		35	34
Bangor Daily News	Brennan	49	48	Hathaway	54	57
	Palmer	32	34		35	34
Boston Herald American	King	44	53	Tsongas	48	55
	Hatch	41	47		40	45
Chicago Sun-Times	Thompson	62	60	Percy	50	54
	Bakalis	38	40		50	46
Columbus Dispatch	Rhodes	41	51	Jepsen	41	52
	Celeste	36	49		51	48
Des Moines Register	Ray	61	59	Clark	51	48
	Fitzgerald	34	41		42	59
Denver Post	Lamm	47	60	Armstrong	42	59
	Strickland	32	40		37	41
Detroit News	Milliken	47	56	Levin	49	53
	Fitzgerald	44	44		43	47
Hartford Courant	Grasso	50	59	Griffin	43	47
	Sarasin	41	41			
Idaho Statesman	Evans	58	59	McClure	63	68
	Larsen	31	40		25	32
Lincoln (Neb.) Journal	Thone	41	56	Exon	44	68
	Whelan	37	44		20	32
Los Angeles Times	Brown	54	56	Shasteen		
	Younger	34	36			
Miami Herald	Graham	50	56	Boschwitz	47	57
	Eckerd	38	44		47	42
Milwaukee Journal	Dreyfus	40	55	Anderson		
	Schreiber	37	45			
Minneapolis Tribune	Quie	45	53	Exon	67	68
	Perpick	49	46		25	32
Newsday	Carey	50	53	Shasteen		
	Duryea	41	47			
Omaha World Herald	Thone	53	56	Exon	67	68
	Whelan	38	44		25	32
Pittsburgh Post-Gazette	Thornburgh	45	53	Kassebaum	49	56
	Flaherty	49	47		49	44
Portland Oregonian	Atiyeh	47	55	Roy		
	Straub	38	45			
Raleigh News and Observer				Helms	49	54
					31	46
St. Petersburg Times	Graham	46	56	Ingram		
	Eckerd	37	44			
Topeka Capital-Journal	Carlin	43	50	Kassebaum	49	56
	Bennett	56	48		49	44

(Poll figures do not add up to 100; the missing percentages represent undecided responses and, in a few cases, support for minor candidates.)

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PRODUCTIVITY IS LAGGING IN THE ROCKIES, BUT LOOKING UP.

In most parts of the country, intensive forest management is working. Increased demand for forest products has necessitated development of ways to improve the productivity of the nation's commercial forestland.*

But, in the vast areas that border the spine of the Great American West, the forests are not nearly as productive as they should be, given their true potential and the world's growing need for wood and wood fiber.

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DEMAND EXPECTED TO DOUBLE.

That's cause for concern; the government says domestic demand for wood and paper products will double by the year 2020. And pressures for other forest uses are intensifying. So every acre of productive forest — in the Rockies and throughout America — will have to work even harder.

These ponderosa pine slices are shown here 43% of actual size. Both are about 75 years old. The smaller one grew in an overcrowded stand and, therefore, received less sunlight and water. The larger pine grew in an area that was thinned to give the best trees room to grow. Management made the difference.



These forests could be far more productive if they were managed more intensively.

One of the reasons for low productivity in the Rockies is the stagnated condition of many forested areas — older trees, past their prime and more susceptible to disease and decay.

More intensive management would mean a healthier mix of young, thriving forests. It would also benefit other forest values, such as wildlife and watersheds. And provide access to the forests so more people could enjoy them.

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Management like this is spreading in the Rockies. It means growing more trees, faster, and getting more out of

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So there is some progress toward increasing productivity in the Rockies and the rest of the American forest. But we still have a long way to go.

For more information, write American Forest Institute, P.O. Box 873, Springfield, VA 22150.

**Commercial forest is forest capable of, and potentially available for, growing trees for harvest.*



American Forest Institute



NATIONAL NEWS COUNCIL REPORT

Was ABC's view of the P.L.O. a propaganda forum?

Issue: Did ABC News unfairly provide a propaganda forum for the terrorist activities of the Palestine Liberation Organization by presenting a documentary about the Palestinian perception of the Middle East situation?

Complaint: Rabbi Joseph B. Glaser, executive vice-president of the Central Conference of American Rabbis, complained that the ABC News documentary, "Terror in the Promised Land," (October 30, 1978) was a "propagandistic apologia for the terrorist activities of the Palestine Liberation Organization."

ABC News offered the hour-long broadcast as "a view of right and wrong held by certain Palestinians" and said the network was not condoning terrorist activities by offering such a presentation.

Rabbi Glaser made a fourteen-point complaint, objecting primarily to the airing of the P.L.O. viewpoints and asking the question:

"... is the public's understanding of the Palestinian role in the Mideast advanced by a program which offers admitted terrorists—killers of innocent women and children—every opportunity to justify their crimes while the ABC interviewer fails to pose a single critical question to them?"

Factually, the Council examined three

The reports of the National News Council appear in the Review as pertinent information and as a convenient reference source. Publication, which is made possible by the William and Mary Greve Foundation, does not imply approval or disapproval of the findings by the foundation or by the Review.

The nature of complaints and response of news organizations are condensed in this report. The Council's conclusions, reached at its meeting last March 8 and 9 in New York, are presented in full.

allegations of error by Rabbi Glaser: that the program had used film footage which was labeled incorrectly as "Jews driving Arabs out of Jerusalem" during the 1948 war; that the program made an equation between the Palestinian problem and the Holocaust; and that Raanan Weitz, a resettlement officer, was misidentified on the program as the director of the Jewish National Fund.

Conclusion of the Council: The complainant has asked the Council to determine whether "Terror in the Promised Land" meets responsible standards of journalism. The Council believes that it does.

In an area where tensions are as great as they are in the Middle East, the program provided insights into the people who make up the Palestine Liberation Organization. ABC News did not attempt to glorify the deeds of the P.L.O. terrorists. Rather, it examined the reasons for the fanaticism of the terrorists.

The program was carefully introduced by Frank Reynolds as an attempt to understand:

Why people choose to kill innocent men, women, and children even if they are likely to die at the same time. . . . This is not a program about right and wrong. It is about a certain Palestinian perception of right and wrong. Whatever may be thought of them, they exist and they cannot be ignored by those who work for peace. We know that some of you will be outraged and many will be disturbed. But we believe that one hour from now you will be better informed. And that is our reason for presenting this broadcast.

And at the close, Reynolds added:

To refuse to listen is to strengthen their argument that violence is their only recourse. I believe everything possible must be done to persuade them they are wrong about that . . . to encourage them to turn away from terror toward peace.

Clearly, such expressions do not constitute an assessment of right and wrong. Rather, they emphasize the journalistic function of providing information.

Much of what the complainant cites in the fourteen-point complaint as specific examples of bias and distortion concerns the manner in which ABC chose to present the documentary. This includes the use of music in certain portions of the program, a practice the Council believes is of dubious journalistic value.

Rabbi Glaser said, "Language is carefully manipulated, in Orwellian fashion so that . . . the victims of the terrorist raid at Maalot are not women and children but 'people' . . . murderers are 'commandos' . . . terrorists about to depart on missions of slaughter of innocent civilians are 'martyrs.'"

The Council can only observe that these are Palestinian perceptions of the situations described and they were properly identified as such.

Referring to the extermination of Jews in Germany and German-controlled territories, the script said that "the desperation facing the Palestinians today is a direct extension of the tragic dilemma of the Jewish people after Hitler's holocaust." In the context in which that statement was made, the Council believes that it referred to the creation of the state of Israel as a solution to the Jewish refugee problem following the Holocaust. It did not say that Palestinians were meeting the same fate as Jews did during the Holocaust.

'These are Palestinian perceptions of the situation and they were properly identified'

Differing interpretations can also be ascribed to the complainant's contention concerning the origins of the Palestinian problem and the film showing Arab refugee camps.

There are two significant contentions of factual error in the complaint. The first concerns the use of Movietone News film which purportedly showed refugees fleeing from a section of Jerusalem during the 1948 war.

The complaint contended that the film clip actually depicted Arabs looting and sacking a "centuries-old Jewish quarter of Jerusalem," and that the narrative described the scene as "Jews driving the Arabs out of Jerusalem." According to the complaint, the film came from Movietone stock footage which "is correctly labeled in Movietone's catalogue as 'Arabs driving Jews out of Jerusalem on May 28, 1948.'"

An examination of the transcript

shows no wording about "Jews driving the Arabs out of Jerusalem." This was the narrative that accompanied that piece of film footage:

Statehood and war arrived at the same time, but the Israelis fought to victory. Through fear and panic, a massive refugee problem was created. These frightened and suddenly homeless people became the Palestinian problem of today.

Council efforts to determine the correct identification for the film footage produced conflicting responses. The Council believes, however, that the film shown and the manner in which it was narrated were not misleading.

In the portion of the program in which Raanan Weitz was interviewed, and misidentified, the complaint contended that "the facts as to land acquisition by the Jewish National Fund were also erroneously portrayed."

Mr. Weitz is a member of the World Zionist Organization's executive board and head of its settlement and absorption department. He has no connection with the Jewish National Fund. In his job, however, he does place Jewish settlers

'The broadcasting of corrections is of major value in maintaining journalistic credibility'

on what was once Arab land and he was interviewed by ABC in this regard. The interview made no mention of the Jewish National Fund other than incorrectly identifying Mr. Weitz as its director.

The Council believes that ABC News should have acknowledged promptly the error concerning Mr. Weitz but does not believe that this misidentification contributed to any misconception of the main thrust of the program.

As a general matter, the Council is aware of the problems faced by television in handling corrections applying to documentaries, since these programs are usually shown only once. The Council believes that the broadcasting of corrections is of major value in the maintaining of journalistic credibility. It is moved to suggest that the networks consider the widely-viewed nightly news broadcasts, or some comparable place for corrections, and that they be considered for use when the news flow is such that no important story has to be excluded in order to make room for the correcting of the record.

The Council believes that ABC News exercised proper news and editing judg-

ments in the selection and preparation of material. It finds the complaint to be unwarranted.

Concurring: Ghiglione, Hauser, Huston, Isaacs, McKay, Otwell, Pulitzer, Roberts, and Rusher.

An editorial that led to an apology

Issue: A WCBS Newsradio editorial called for removal of a judge on the basis of releasing an accused murderer without bail though the prosecution had what is said was a "confession" from the defendant. An editorial reply and a public apology by the station followed. Here's why:

Complaint: Ira Glasser, executive director of the American Civil Liberties Union, complained that the editorial, urging the ouster of Manhattan Civil Court Judge Margaret Taylor, was unfair. Broadcast on September 5, 1978, the editorial contended that Judge Taylor, while on rotating night duty in Bronx Criminal Court, had exercised "dreadful judgment" in releasing a murder case defendant without bail, "despite the fact that the prosecution had a videotaped confession from him."

WCBS Newsradio called for Judge Taylor's removal or resignation and cited three constitutional methods for removing a judge from the bench.

Mr. Glasser was invited by WCBS Newsradio to respond to the editorial. He complained, however, that when he asked WCBS Newsradio for a copy of the transcript of the murder case bail hearing, he was told that no one connected with the preparation of the editorial had seen one.

In his editorial rebuttal, broadcast over WCBS Newsradio several weeks later, Mr. Glasser charged that had the station consulted pertinent court records before formulating its conclusion about Judge Taylor "a very different story" would have emerged. He argued further that "a public apology" by WCBS Newsradio was in order:

The law requires judges to release an accused person unless there is reason to believe he will flee and fail to show up for trial. In this case, there was no reason to think the accused would run away. He was in court, he had a lawyer, he was not a transient, he had family living nearby. Judge Taylor's decision to re-

lease him pending trial was the only fair decision she could make. If WCBS had taken the trouble to read the court transcript it could not possibly have come to the conclusion it did. . . . To have criticized Judge Taylor for this decision was bad enough. To have called for her removal was completely irresponsible. We think WCBS owes Judge Taylor and its listeners a public apology.

Robert Hyland, vice-president and general manager of WCBS Newsradio, responded by sending the Council a copy of an editorial broadcast over the station six times on February 23:

Last Fall, WCBS broadcast an editorial which criticized a decision by Civil Court Judge Margaret Taylor. In a case in the Bronx, she released without bail a man charged with murder. We stated that she made this decision despite the 'fact that the prosecution had a video-taped confession from the defendant.'

We were incorrect. What was widely reported as a 'confession' was, instead, a statement from the accused. In it, the defendant gives his version of what happened. That account was repeated in court later on. Our characterization of the statement as a confession was misleading, and our criticism of Judge Taylor, based on this incident, was inappropriate.

It is our objective in all of our editorials to illuminate issues and contribute to a better understanding of them. Most of the time, we think we succeed. When we do make mistakes, it is our policy to correct them.

Conclusion of the Council: It is apparent from the record that Mr. Glasser of the American Civil Liberties Union was entirely correct in charging WCBS Newsradio of having acted unfairly where Judge Margaret Taylor was concerned. However belatedly, WCBS Newsradio has corrected the record and the Council considers this action to have closed the matter and the case is recorded as dismissed.

Concurring: Ghiglione, Huston, Isaacs, McKay, Otwell, Pulitzer, Rusher, and Roberts.

Statement on search and seizure

Appraisal of the damage to individual and institutional liberties inherent in the restrictive interpretation given to the Fourth Amendment by the Supreme Court in *Zurcher v. Stanford Daily* (May 31, 1978) has brought widespread recognition at both the federal and state level

NATIONAL NEWS COUNCIL REPORT

of the desirability of corrective action through legislation unless a new presentation of the issue brings a quick reversal by the Court of its unfortunate ruling.

Because the decision in the *Stanford Daily* case so sweepingly imperiled the media by opening newsroom doors to surprise police raids conducted on an *ex parte* warrant, much of the initial protest has focused on the urgency of safeguards to prevent a drying up of confidential sources of information and other limitations on the effectiveness of the press and on its independence from governmental coercion or control.

Concerns on this point are valid and imperative, but they may have tended to obscure the degree to which the Court's

**'Freedom and a free press
have been inextricably
intertwined
through American history'**

constricted view of the Fourth Amendment has put in jeopardy the fundamental protection all Americans have a right to expect against arbitrary invasion of their homes or offices. The Court, extending the position it took in *Warden v. Hayden* in 1967, has enunciated the strange doctrine that those who are deemed by law enforcement officials to be innocent of any direct or indirect involvement in a crime are, by that very fact, more vulnerable to search and seizure via *ex parte* proceedings than presumed culprits.

The National News Council does not presume to set itself up as a definitive assessor of the niceties of constitutional law, but it does not require a scholar to recognize that the Court's view gravely impairs the utility of the Fourth Amendment as a protector of "the right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures."

The decision, as the Council noted in its initial statement last June, underscores the degree to which freedom and a free press have been inextricably intertwined through American history. In recognition of that bond, the wise course for remedial action, whether legislative or administrative, lies in the direction of universal protection against arbitrary search or seizure rather than toward distinctive safeguards for the media.

Both approaches have influential sponsors in Congress and in many state legislatures. The Carter administration, through Attorney General Griffin Bell,

plans to back a bill that would prohibit almost all police raids in search of notes, photographs, tapes, or other "work product" of reporters, broadcasters, freelance writers, and even academicians writing books or articles. The bill, now in process of White House clearance preparatory to its dispatch to Capitol Hill, represents a welcome departure from the amicus brief the Justice Department filed in the *Stanford Daily* case, in which it urged the Supreme Court to uphold such raids. Nevertheless, despite the breadth of the definition the administration now recommends for a press immunity, it stops short of a general exemption for all persons considered innocent of complicity of a crime, except where probable cause is shown that the evidence sought will be destroyed if a subpoena is served or other special circumstances exist.

An exemption of this kind is contained in a measure filed in the United States Senate by Senator Birch Bayh of Indiana. A similar prohibition against "third party" search and seizure, except under extraordinary circumstances, marks a bill filed in the New York State Legislature by the chairman of the Assembly Committee on Codes. Without expressing a judgment on the specifics of either

measure, the Council believes that both address themselves to the essential issue: the need for restoring the Fourth Amendment to the scope it had before the Supreme Court began whittling away at its scope in the *Hayden* decision, a trespass made much worse by its ruling in the *Stanford Daily* case.

The spirit of freedom will be best preserved by a return to the requirement that, particularly where no suspicion of complicity is involved, a search warrant be an instrument of last resort to be used only where there is compelling proof that reliance on a subpoena will defeat the ends of justice. In the case of the press and the great bulk of the citizenry, that is a line that will almost never have to be crossed.

Concurring: Cooney, Ghiglione, Hauser, Huston, Isaacs, McKay, Otwell, Pulitzer, and Roberts.

Dissenting: Rusher.

Dissenting opinion by Mr. Rusher: The Council's statement strives mightily to give the impression that the Supreme Court broke new ground in *Zurcher v. Stanford Daily* by authorizing police to search newspaper offices for evidence of a crime after obtaining a "probable cause" search warrant from a judge. On the contrary, law enforcement authorities have had that right (on those same restricted terms) since our nation's inception. Any doubt that it applies to premises not belonging to the suspected

**'The proposition that
journalists are rare and
precious birds
would be simply comical'**

criminal was eliminated in 1967 by the *Hayden* case. The notion that the student editors of *The Stanford Daily*, or any other journalists, are specially privileged against such searches by virtue of their journalistic status was the only question before the court in the *Zurcher* case, and the Court rightly scotched it.

I happen to agree with the Court that a reasonable cause search warrant is an important tool of criminal investigation and prosecution. But if it is to be abandoned, I certainly agree with so much of the Council's statement as urges that it be abandoned *in toto*, rather than merely selectively in the special case of the media. The proposition that journalists are rare and precious birds, specially privileged and cloaked in unique immunities, would be simply comical if its consequences weren't so deadly dangerous.

continued

THE NATIONAL NEWS COUNCIL
1 Lincoln Plaza, New York, N.Y. 10023

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Was a magazine article used for reprisal?

Issue: Did Rupert Murdoch, owner of the *New York Post* and *New York* magazine, seek to use the magazine to "punish" attorney Theodore Kheel for his role as mediator in the New York newspaper strike?

Complaint: Mr. Kheel filed two complaints spaced a month apart. The first came two weeks before *New York* magazine's January 8, 1979 issue, which carried an unflattering profile of the New York lawyer/labor mediator. Mr. Kheel protested that the magazine had refused him advertising space in the same issue to counter the article. After publication, Mr. Kheel filed an amended complaint, focusing on the charge that Mr. Murdoch had used the magazine as reprisal for Mr. Kheel's role in settling the strike.

The outlines of the controversy can be summarized as follows:

Free-lance reporter Richard Karp called on Mr. Kheel in August to interview him for the *New York* article. At an earlier time, Mr. Kheel had been counsel to *New York*. He now asked to be released from the attorney/client relationship so that he could discuss Mr. Murdoch's acquisition of the magazine. Mr. Kheel wrote to *New York* to this point. Editor John Berendt declined to waive the attorney/client relationship, but Mr. Kheel said that in a telephone talk, Mr.

'Surprise was expressed that the article had been revived'

Berendt told him the article had been "killed." Mr. Kheel asserted that he was also told this by the publisher, Joe Armstrong, whom he quoted as attributing the "kill" order to Mr. Murdoch. Mr. Kheel said further that Mr. Murdoch had made the same statement to *Daily News* general manager Joseph F. Barletta and *Times* senior vice-president Walter E. Mattson. Both were quoted publicly as confirming this and expressing "surprise" that the article had been revived.

Mr. Barletta has described these accounts as accurate.

Shortly after Mr. Kheel's entry into the newspaper strike negotiations, Mr. Murdoch withdrew from the publishers group, resumed publication of the *Post*, introduced a Sunday paper, and announced plans for a morning paper. Mr. Kheel said that following these developments, he received a call from reporter Karp saying the story had been revived. Mr. Kheel says that the settlement of the strike deprived Mr. Murdoch of what he described as a "free ride," forced abandonment of the Sunday paper, and blocked plans for a morning paper.

Publisher Armstrong had formally refused to accept the proffered Kheel advertisement as against policy and suggested a letter. Mr. Kheel submitted a

How to complain to The National News Council

The National News Council has two committees — the Grievance Committee, which takes complaints from any individual or organization concerning inaccuracy or unfairness in a news report, and the Freedom of the Press Committee, which takes complaints from news organizations concerning the restriction of access to information of the public interest, the preservation of freedom of communication, and the advancement of accurate and fair reporting.

The procedure to follow in filing a grievance is simple:

Write to the news organization and send a copy of your letter of complaint to the Council.

If you are not sure to whom to address your complaint at a news organization, send it directly to the Council. A copy will be forwarded to the appropriate news executive.

If your complaint concerns a printed news report, include a copy of the report, the name of the publication, and the date.

If your complaint concerns a radio or television news report, include the name of the station, the name of the network, and the date and the time of airing.

Be sure to include as specific information as possible as to why you are complaining.

Complaints to either committee should be addressed to:

The National News Council
One Lincoln Plaza
New York, N.Y. 10023.

2,100-word letter. *New York* deleted two introductory paragraphs, and ran the rest verbatim, including a clear mention of the reply on its page-one cover. Mr. Kheel concedes that the "right of reply" has been accorded but maintains that an article once ordered "killed" was revived because of the publisher's resentment over the strike settlement.

'Kheel conceded that the "right of reply" had been accorded'

The issue before the Council, therefore, was centered on the single consideration: Did the owner of the *Post* and *New York* make malicious use of the magazine's columns for the purpose of retribution?

Response of news organization: Through the law firm of Squadron, Ellenoff, Present and Lehrer, *New York* responded to both of Mr. Kheel's complaints. On January 12, the law firm asked the Council to reject the complaint concerning the advertisement on the ground that "the circumstances of the case have no bearing on freedom of speech or freedom of the press." The letter cited what it said was *New York's* existing policy of not accepting advertisements which comment on editorial matter in the magazine.

On February 26, attorney Neal M. Goldman made a seven-point response to Mr. Kheel's amended complaint. Mr. Goldman reiterated earlier statements by Mr. Armstrong and Mr. Berendt that the article had been assigned well before the newspaper strike and was withheld from publication "at Mr. Murdoch's request when Mr. Kheel complained in order not to jeopardize the negotiations, in which Mr. Kheel was obviously determined to play a role." Mr. Goldman said:

It is interesting that Mr. Kheel finds nothing wrong with his ability to prevent publication of a critical article but cannot accept the decision to publish that article as anything but revengeful.

The letter also took issue with Mr. Kheel's motivation in seeking to place an advertisement in the same issue of *New York* in which Mr. Karp's article ran. Mr. Goldman said this confirmed that his (Kheel's) intention "was not to bring information to the attention of the magazine's readership, but to engage in an attack on Mr. Murdoch and the magazine

to detract attention from the content of the article."

The letter also termed Mr. Kheel's request to be released from his attorney/client privilege as "typical holier-than-thou Kheel, lecturing the press on its obligations while ignoring the substance of an article that *New York* had every right to publish."

The letter also cited publication by *New York* of Mr. Kheel's lengthy letter of reply and said:

He does not suffer from any disadvantage of not being able to respond to the substance of public criticism or unfavorable comment. We call your attention to the advertisement on the front page of *The New York Times* and the full-page coverage in *Cue Magazine* as the most recent examples of Mr. Kheel's ability to respond. He is certainly not entitled to any special treatment or protection.

Mr. Goldman concluded by saying, "there is no basis whatsoever for considering Mr. Kheel's complaint."

Conclusion of the Council: Through public statements made on several occasions, *New York* magazine has said that editorial decisions at the magazine are made by the publisher and editor-in-chief, Joe Armstrong, and the editor, John Berendt. In a *New York* magazine press release statement by Mr. Armstrong and Mr. Berendt issued shortly after Mr. Kheel publicly charged, in a press statement, that the article was "filled with inaccuracies," this policy was reiterated. Both declared that Mr. Murdoch "has steadfastly pursued a hands-off policy" on editorial matters.

In the face of these statements, we have several confirmations that Mr. Murdoch intervened in decisions regarding publication of the article about Mr. Kheel. The publisher and the editor, in their press release statement, said that Mr. Murdoch asked "that the editors consider postponing publication of this particular piece (the Kheel story) until the sensitive newspaper negotiations were completed." In their response to Council inquiries, *New York's* lawyers acknowledged that the article was "withheld at Mr. Murdoch's request." Joseph F. Barletta, general manager of the *Daily News*, and Walter E. Mattson, executive vice-president of *The New York Times*, were reported, in a *New York Times* story of January 3, as having confirmed a statement by Mr. Kheel that they had told him that Mr. Murdoch had informed them that he had "killed the article."

It is apparent that Mr. Murdoch did intervene with the publisher and the editor—in contradiction of his stated policy

of not intervening—by "killing" or "postponing" the article. In this respect, Mr. Murdoch has misled the public by not pursuing the "hands-off" policy on editorial matters that he espouses. Such a policy may or may not be the best practice; we do not pass on that question. But if such a policy is proclaimed it depends on consistency for its credibility.

Regarding the decision to revive the article, the situation becomes muddled. If the article was "killed," as Mr. Kheel claims he was led to believe, then it never would have appeared. "Killed" means dead. If the article was "postponed," as the publisher and editor of *New York* state, "until the sensitive newspaper negotiations were completed," then this flies in the face of the fact that Mr. Karp received the call to resume his assignment on the article shortly after Mr. Murdoch had broken with the other publishers involved in the newspaper strike, denounced Mr. Kheel, and resumed publication of the *Post* under his own interim settlement with the pressmen's union. The *Times* and the *Daily News* remained down and the "sensitive newspaper negotiations" were still very much in progress.

The Council has no clear proof that Mr. Murdoch personally ordered the article about Mr. Kheel revived, and therefore cannot find that he used his magazine as an instrument of reprisal, as the complainant contends. The Council can, however, suggest that special dangers to credibility are involved when a magazine publishes an article concerning an individual with whom the magazine has had a close, and special, relationship—in this case attorney/client.

In a recent complaint, *The Boston Globe* was accused of not printing a sto-

'The Council has no clear proof that Murdoch personally ordered the article revived'

ry that might have damaged a friend. Here, *New York* magazine is accused of printing a story that might damage a foe. In cases where friendly or unfriendly ties exist between a publication or its officials and a story or its principals, the publication has a great burden to show that the ties do not influence news judgment.

With respect to the original complaint by Mr. Kheel concerning the refusal of the advertisement he wished to insert in the issue of the magazine that contained

the article, the Council believes that the requirements of fairness were satisfied by the extensive space the editors of *New York* made available to Mr. Kheel to challenge what he regarded as errors of fact and interpretation.

The remaining issue is credibility. *New York* magazine lowered its credibility by misleading the public on the "hands-off" rule of its owner.

Concurring: Cooney, Ghigione, Hauser, Huston, Isaacs, McKay, Pulitzer, Roberts, and Rusher.

Dissenting: Otwell.

Did the 'Bulletin' present a balanced diet?

Issue: Is a newspaper responsible for the views of persons it interviews?

Complaint: Eleanor M. Fala of Haverstown, Pennsylvania, a registered dietician, complained that three articles on the subject of nutrition which appeared in *The Philadelphia Bulletin* "contained misleading and erroneous information." Mrs. Fala also charged that the articles promoted "a variety of false (or unproven) ideas which are rejected by the scientific community."

According to Mrs. Fala, *THEY SAY PROPER DIET CAN PREVENT ILLNESS*, appearing in the *Bulletin* on October 8, 1978, contained an unrepresentative view of the "medical community's" attitude toward the preventive approach to medicine. She found *WILL A VITAMIN PILL A DAY KEEP THE ILLNESSES AWAY?*, October 11, 1978, to be inaccurate in its reporting on the effects of particular vitamins and minerals. And, Mrs. Fala contended, *BENJAMIN FEINGOLD: THE KIDS LOVE HIM*, October 25, 1978, neglected to impress upon readers that Dr. Feingold's theories on the treatment of hyperactive children were believed by her to be unscientific and were dismissed by many scientists.

B. Dale Davis, the *Philadelphia Bulletin's* executive editor, responded to the Council that: "The three articles Mrs. Fala refers to simply present nontraditional views on health and nutrition. . . . In none of these cases is the *Bulletin* ad-

vocating a particular diet, medical practice or anything. We simply quote those who are involved and hold a particular view. . . . Our role is to present all kinds of views, not just those we happen to agree with."

Council action on the individual articles:

There was no attempt to mislead the reader concerning attitudes towards the use of preventive medicine. All material in the first article is directly attributed to Drs. Kenneth Fordham, Melvin Page, and Arthur Hochberg, whose work was the subject of the piece. When the writer asks the question: "How has the rest of the medical community responded to this preventive approach to medicine?" it is clear in the context of the story that the questions are being asked of the doctors being interviewed, and not of the medical community as a whole.

The theories concerning vitamin therapy in the second piece were clearly attributed to Dr. Bonnie Maniaci, who was to begin a series of seminars the following week in the area, a newsworthy event. Dr. Maniaci was clearly identified as a doctor of naturopathic medicine and a definition of naturopathology was offered to the readers. It is clear from the article that her views are not those necessarily prevailing in the majority of the medical profession.

'Clearly, this was an appropriate subject for a newspaper article'

The third article noted that Dr. Benjamin Feingold's theories have "triggered hot debate among physicians, researchers and segments of the food industry. . . ." Clearly, this was a profile of Dr. Feingold and his work, and was an appropriate subject for a newspaper article.

General conclusion of the Council: Mrs. Fala's complaint raises a troublesome point about the manner in which many news stories are perceived by readers and viewers. The complainant believes that because the newspaper published the stories in question it is responsible for all of the material in them—even that which is clearly attributed to the persons who are subjects of the stories.

Each of the instances cited by Mrs. Fala, the Council believes, is an example of something newsworthy about which the newspaper elected to do a story

which did not require inclusion of extensive rebuttal material. Proper news and editing judgment was exercised throughout and the Council finds the complaint unwarranted.

Concurring: Ghiglione, Hauser, Huston, Isaacs, McKay, Otwell, Pulitzer, Roberts, and Rusher.

Statement on reportorial privilege

In the wake of the refusal of the United States Supreme Court to review the contempt of court convictions of *The New York Times* and its reporter, M. A. Farber, questions of fundamental importance to American journalism and American democracy remain unresolved.

There is no need for the National News Council to underscore the vital role of the press as a community watchdog bringing the broadest possible range of information to public attention. Much of that information must be obtained through investigations outside the realm of readily available public sources, often from informants who fear for their personal safety, loss of job, and possible criminal prosecution if their identities were disclosed.

It has been an article of faith with reporters, fully supported by their editors and news organizations, that they could assure full protection to confidential sources, and such sources have come to rely on such assurances as being inviolable. The confident assumption of the press has been that the integrity of such pledges is underwritten by the freedom of the press guarantee contained in the First Amendment. The correctness of that view has been brought into grave question by a series of Supreme Court rulings, notably in the 1972 decision in the combined cases of *Branzburg, Caldwell and Pappas*.

Many states believed that they were acting in conformity with a direct suggestion contained in the majority decision in that ruling when they adopted shield laws aimed at providing legal security for the press in invoking the rights of confidentiality.

In ruling that the New Jersey shield law is valid, but refusing to extend the right of source protection to reporter

Farber, that state's supreme court limited reportorial privilege under the particular facts pertaining in that case.

Uncertainty over the precise status of journalistic privilege is deepened by a confusion of rulings by subordinate courts in other states. Now, no newspaper, broadcaster, and individual reporter or editor can be sure what protection exists under the federal Constitution.

It is important, however, for journalists to recognize that the restricted reading given to New Jersey's shield law by the courts of that state is not necessarily an operative limitation in any of the twenty-five other states with such laws. In all of those states shield laws remain intact and even in New Jersey the protections intended by its law are still fully effective where judges do not perceive a conflict with the fair trial guarantees of the Sixth Amendment. To the extent that state shield laws effectively have permit-

'Responsible, aggressive news coverage is the best response to constitutional ambiguities'

ted media to maintain confidentiality, they should be used fully, consistent with their legislative purpose and court rulings.

Media should be reminded that some federal courts have taken state shield laws into consideration as a basis for protecting reportorial privilege.

In all cases, the oft-stated, oft-feared "chilling effect" should not become a self-fulfilling prophecy by reporters, editors, and publishers. Responsible, aggressive news coverage, using confidential sources when necessary, is the best response to constitutional ambiguities.

Concurring: Cooney, Ghiglione, Hauser, Huston, Isaacs, McKay, Otwell, Pulitzer, and Roberts.

Dissenting: Rusher.

Dissenting opinion by Mr. Rusher: The limits on a reporter's right to conceal his sources "remain unresolved" only in the sense that certain spokesmen for the media decline to take the U.S. Supreme Court's "No" for an answer. The fact that some members of the media have taken this alleged right as an "article of faith" and/or a "confident assumption" suggests ways of amending (or interpreting) the Constitution that would be novel indeed.



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JURAN

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But as a matter of fact it isn't even true that "the press" as a whole has held such enlarged and gaudy views as to the profession's privileges and immunities. James W. Carey, Gallup Professor of Journalism at the University of Iowa and president of the Association for Education in Journalism, declared only last August that "the rule," to which there are only "rare and well defined exceptions," is that "a journalist always reveals his sources." Clark Mollenhoff, the veteran Washington correspondent, while not going quite so far, does not believe that reporters' sources ought to receive special legal protection against disclosure. Vermont Royster, the longtime editor of *The Wall Street Journal*, has wondered aloud whether a reporter's private papers ought to be protected more fully than those of a president.

Congress and state legislatures, in passing "shield laws," are engaging in an easy and inexpensive form of demagoguery, because they know that any application of any such law that actually deprives anyone of a fair trial will be invalidated by the courts as unconstitutional. Unfortunately, we will never know how many criminals have gone or may yet go unprosecuted because of other applications of such "shield" laws. I think it is the height of irresponsibility for this Council to urge journalists to use such laws in an "aggressive" way to promote a right the Constitution did not give them and which they alone will have.

Was '60 Minutes' insensitive to Hispanics?

Issue: Did a *60 Minutes* segment on police survival training offer an insensitive portrayal of an Hispanic community in a California city?

(CBS News has submitted a request for reconsideration of the Council's action on this complaint. That reconsideration will come at the Council's next meeting.)

Complaint: Leo T. Loera, a resident of Riverside, California, complained that a *60 Minutes* segment entitled "Stop! Police!" broadcast on January 14, 1979, was poorly researched and contained "insensitive reporting." Mr. Loera

specified inaccuracies which he said occurred in the broadcast and said the segment "left a residue of ill feeling and depicted the Hispanic community as lawless."

The segment dealt with police training in the face of ambush and similar attacks, and concentrated on conditions and training of police in Riverside. Problems encountered by police in Casa

'The CBS correction admitted two errors in the segment'

Blanca, a neighborhood of Riverside with a predominantly Chicano population, were highlighted.

In the broadcast, *60 Minutes* described what it called the ambush rate against Riverside police and said that it was four times the national average. Mr. Loera said the proper term was the assault rate, which included many minor offenses, and was a citywide statistic for Riverside.

Mr. Loera also said the program was in error when it said that Riverside had developed its police survival training program after two officers had died in 1974. He noted that this comment was made after a statement which said: "to deal with Casa Blanca these officers are taking special courses in survival training." Mr. Loera said the death of the two officers had nothing to do with the Hispanic community.

He also complained about "dated film footage and a camera focusing on a police car which only confirms the worst people can imagine."

On February 11, *60 Minutes* ran a correction about the segment as follows:

MORLEY SAFER: On January 14, *60 Minutes* reported on a training program in Riverside, California, in which policemen were being taught when they should and should not use their weapons. In that story we made two errors. We said the ambush rate against the Riverside Police was four times the national average. We now learn it was not the ambush rate but the assault rate. Assault includes everything from shooting a policeman to throwing rocks at him. We also said Riverside developed its program when two officers were killed in 1974. Those officers were in fact killed in 1971. It wasn't until five years later in 1976 that the training program began.

In a letter to the complainant, CBS News also denied that it had depicted the Hispanic community of Riverside as

lawless and defended its use of footage showing police cars in Casa Blanca riding with their lights out. They added that they did not say that the cars do this only in Casa Blanca.

Conclusion of the Council: In its portrayal of Casa Blanca as a "tough Chicano neighborhood," *60 Minutes* committed factual errors that the Council believes were never adequately corrected. The Council also finds that the broadcast did create an impression of lawlessness among Hispanics in general, which was underscored when it hopped across the country to Spanish Harlem to show New York police in a tense confrontation with apparently lawless elements.

In acknowledging on-air that the *60 Minutes* segment contained factual errors about the origins of a police survival training program and about the ambush rate for policemen in Riverside, the CBS corrections made no mention of the fact that the original errors were linked to portions of the broadcast that mentioned Casa Blanca prominently.

Additionally, the original program made reference to the fact that police cars run with their lights out in Casa Blanca to avoid attracting attention. Although the Riverside police chief said this was done only in tactical situations and in sections other than Casa Blanca

'The subjects of crime and ethnic communities are sensitive ones'

as well, CBS did not correct this apparent error.

In sum, the Council believes the original program was flawed not only by errors of fact but by the manner in which it referred to the Hispanic community of Riverside. The subjects of crime and ethnic communities are sensitive ones and added care should be taken in the filming, reporting, and editing of any such stories.

The Council also believes strongly in adequate correction of errors that occur in the reporting and editing process. CBS has pioneered in broadcasting prompt corrections but, in this instance, the Council finds the corrections to have been inadequate.

Concurring: Cooney, Ghiglione, Hauser, Huston, Isaacs, McKay, Otwell, Pulitzer, Roberts, and Rusher. *continued*

Anti vs. pro in the use of herbicides

Issue: Was an ABC documentary segment on the effects of exposure to herbicides lacking in balance and documentation? Did it contain inaccuracies that caused misrepresentation of the hazards of herbicide usage?

Complaint: Jane Newton, president of Oregon Women for Timber, complained of bias, distortions, and inaccuracies in one portion of an ABC 20/20 two-part report on herbicides, broadcast July 25 and August 1, 1978. The complaint focused on the August 1 installment which explored the effects of human and animal exposure to the herbicide 2,4,5-T, used domestically on rice crops, cattle ranges, forests, and rights-of-way, and containing traces of the poisonous substance dioxin.

Ms. Newton maintained that the series lacked balance and inadequately reported on the practicality and benefits of using the herbicide 2,4,5-T, as well as its relative safety. She also contended that there was no conclusive evidence to connect those presented as victims in the broadcast with the effects of exposure to 2,4,5-T.

Ms. Newton argued, "After 30 years of use, their (herbicides) field-study record is *unblemished*. . . Programs such as 20/20 destroy people's trust in technology without offering documentation either of their thesis, or of the effectiveness of 'alternatives' which I presume they also tout."

Jeffrey Gralnick, director and executive producer of special events at ABC News, wrote that the August 20/20 report "stressed that there are opposing views on whether 2,4,5-T as currently used in commercial applications is harmful" and that "A Dow scientist pointed out that the level of dioxin in his company's 2,4,5-T products was well within current government guidelines and that such levels were absolutely safe."

Conclusion of the Council: The issue of the effects of exposure to herbicides as currently used in the United States is clearly a controversial one. As pointed out in ABC's two-part broadcast, the matter has been under review by the federal Environmental Protection Agen-

cy, Congress, and the Veterans Administration.

On March 1, the E.P.A. issued an emergency ban on the further use of 2,4,5-T, citing what it said was an "alarming rate of miscarriages" among women in one area of Oregon during the months immediately after the spraying of 2,4,5-T in forests surrounding their homes.

The ABC report included mention of the Oregon situation as it existed before the ban, but was also careful to report on the uncertainty surrounding the use of herbicides.

At the close of the August 1 report, Geraldo Rivera of ABC News noted:

... assuming that the EPA isn't outdistanced by Congress in this case. . . after they weigh the risks, they have to weigh the economic benefits of using the spray, because the spray is useful, obviously. And, it's only after they do that risk/benefit analysis that they (can) make their decision.

**'ABC was also
careful to report on the
uncertainty surrounding
the use of herbicides'**

He added that there was no collective perspective on the matter: "It depends on who you ask."

In examining the effects of herbicide spraying, ABC News raised the kinds of questions that should be expected from an investigative report of this nature. The report questioned whether proper safety standards were being met in the use of herbicides and included many statements maintaining that such standards were in effect.

The Council finds the complaint to be unwarranted.

Concurring: Cooney, Ghiglione, Huston, Isaacs, McKay, Otwell, Pulitzer, Roberts, and Rusher.

Statement on cameras in the courtroom

The rejection by the House of Delegates of the American Bar Association of a recommendation by its own special study committee for television and radio coverage of trials makes it important that

the individual states continue experiments aimed at establishing whether there is any genuine conflict between the public interest in openness of judicial proceedings and the right of defendants to a fair trial.

The A.B.A. action comes as a disappointment in the wake of the bar's adoption at its convention last August of a revised canon that barred any limitation on access by the print press to coverage of criminal trials except to the extent that such access posed a "clear and present danger" to fair judgment. The accent which the A.B.A. placed on the importance of open judicial proceedings and on an avoidance of prior restraint or sealing of court records rested even more on what it perceived to be Sixth Amendment values than it did on those guaranteed by the First Amendment. It is a combination of these same values that has made the National News Council believe that cameras and microphones can be admitted to courtrooms under rules that would advance public understanding and respect for the judicial process without impairing or prejudicing the rights of accused persons.

Considerable support for this belief has come from some of the experiments conducted thus far at state court levels, but the evidence is still not conclusive. Some judges involved in televised trials are openly skeptical that fairness can be maintained even where maximum care is taken to guard against disruption of courtroom decorum or distortions in the editing of testimony for presentation on TV or radio.

It is the Council's hope that the Conference of Chief Justices, which voted almost unanimously last year in favor of controlled experiments with televising of criminal trials, will continue to give its support to such experiments and that these will provide a basis for sound judgment on what restrictions, if any, best serve the public interest in an equitable and open system of justice. Current technology clearly permits concealment of equipment in such fashion that it need cause no upset to witnesses or other participants in a trial. Similarly, problems of needed lighting and noise suppression can be overcome without undermining the dignity of the courtroom.

At the appellate level, where proceedings are relatively brief and all the participants are professionals, the perils are minimal or nonexistent. It is at the trial level that more evidence will be helpful in the formulation of sound guidelines. As the Council has previously observed, the electronic press as well as print news

photographers will have a determinative role in the assessment of experiments in this field. Only to the extent that they operate responsibly inside the courtroom and in the processes of editing and exploitation will the desired access fulfill its twin mission of advancing public knowledge and keeping the scales of justice fairly balanced.

The bar's refusal to endorse access to the courts even on the most limited of permissive arrangements is particularly disappointing at the time when the House of Representatives has recognized that such access to electronic coverage of its proceedings will benefit the democratic process—through increased public knowledge and through the awareness by legislators that a new element of direct accountability to their constituents now exists. The National News Council welcomes the televising of House debates and votes and hopes

'The House has recognized that such access to coverage will benefit the democratic process'

that experience with the new system will lead to similar televising of Senate proceedings and to relaxation of the rules that now give the House itself absolute control of TV coverage, shutting news organizations out of an area in which they should be free to operate under the First Amendment guarantees of press freedom.

Concurring: Ghigliione, Huston, Isaacs, McKay, Otwell, Pulitzer, and Roberts.

Dissenting: Cooney, Hauser, and Rusher.

Dissenting opinion by Mr. Rusher (Cooney and Hauser concurring): The constitutional requirement that most legal proceedings must be open is adequately met by the right of the public and the media to attend them. The further requirement that trials must be fair would, in our opinion, be jeopardized by allowing television cameras to record and selectively broadcast criminal proceedings.

What is served here is primarily the desire of the electronic media to gain admission to the courtroom. The discussion in the Council made it plain, however, that members favoring cameras in the courtroom do expect that this step will affect the proceedings themselves in major ways. Naturally, they hope those

ways will be favorable to ends they deem desirable. But there has not been nearly enough consideration of what the consequences may in fact be. We concur in the belief of the majority of the House of Delegates of the American Bar Association that this innovation would be profoundly unwise.

A one-sided view by '20/20' is defended

Issue: Was ABC News unfair in a two-part series on its 20/20 program which dealt with the subject of low-level radiation?

Complaint: Professor Bernard L. Cohen of the University of Pittsburgh complained that a two-part ABC series dealing with potential health hazards resulting from exposure to low-level radiation, which was broadcast on July 4 and July 18, 1978, was one-sided and presented conclusions and implications that were contrary to prevailing scientific thought. He said further that ABC News had "deceived" the public by "spreading misleading information and impressions," that it was not qualified to make decisions on scientific subjects, and that, in view of the limited number of network programs on low-level radiation, it had neglected the needs of its audience.

ABC News said that it had been fair in its overall treatment of the subject and that the 20/20 segment in question had concerned itself with "aspects of nuclear power which we do not believe are controversial. In our opinion, there is no serious controversy concerning the fact that nuclear radiation can be dangerous to health." ABC News said further that while it did present views that there are serious potential risks to low-level radiation, it treated the question as one to which there is no conclusive answer.

Conclusion of the Council: Investigative reporting in the United States has built, for the most part, a long and honorable record. It calls for probing into issues that are controversial, provides documentation, and often draws pointed conclusions. ABC News chose to do just this in its two-part report on the effects of low-level radiation. Challenged, ABC News has taken the position that its

overall coverage of the general subject over an extended period has presented "representative and contrasting views."

The program reported that many experts believe there are substantial dangers from low-level radiation to which the public has not been sufficiently alerted. The program, while not balanced on the subject, also included the views of those who do not believe the danger has been proven.

In his complaint, Professor Cohen challenges the right of broadcast journalism to take such an unbalanced position. He argues that had such a presentation been made in print, "there are many other publications to present the other side" and he holds further that people "are accustomed to having newspapers taking sides on issues." The Council rejects the idea that broadcast journalism is relegated to a separate and lesser standard of freedom.

Professor Cohen also takes the position that "There is a long and commendable tradition in journalism of investigative reporting on matters where the reporter can understand the issues as well as anyone else, as in crime or politics. However this surely does not apply to scientific questions. Your people are not qualified to make decisions on scientific questions. . . ."

The Council rejects Professor Cohen's stance that scientific questions are beyond the scope of journalists. The Council believes, as do most responsible

'The growth of specialization is both healthy and desirable'

professionals, that the growth of specialists is both healthy and desirable. But to eliminate the vast bodies of journalists from the continued examination of public issues, scientific or otherwise, would, in the Council's opinion, be detrimental to the public interest.

The major portion of Professor Cohen's charge centers on the expertise of the persons interviewed on the ABC programs. The Council finds that the subject matter was pertinent for examination and that it was within ABC's editorial discretion to take the views it did.

The complaint is found unwarranted.

Concurring: Cooney, Ghigliione, Huston, Isaacs, McKay, Otwell, Pulitzer, Roberts, and Rusher.

Spiders

E.O. Wilson: Let me remind you that people everywhere, a large percent of the population, at a very early age have already developed a deep horror at the sight of snakes or spiders with nothing more than gentle nudging from their parents, if that. Yet, in spite of the fact that parents constantly reinforce their children against going near electric sockets, automobiles, knives and the like, phobias against such objects rarely develop.

Marvin Harris: Let's go back again to the possibility that these phobias are genetically programmed — which I'm willing to grant. The overwhelming bulk of the socially conditioned response repertoires of different human societies consists, by your own admission, of culturally determined rather than genetically determined traits. Then it seems to me that when one offers a cogent culturological explanation of these phobias, one has to be considered that this explanation is the only one offered in isolation.

... from a debate between E.O. Wilson and Marvin Harris on sociobiology. In *The Sciences*. From family constellations to galaxies, *The Sciences* takes the critical look. Handsome, original, lively, *The Sciences* represents the best science commentary you'll find anywhere on human behavior, culture, the physical sciences — by Ashley Montagu, Stephen Jay Gould, B.F. Skinner, Napoleon Chagnon, Peter Medawar. ... Subscribe today. It's only \$12.50 a year.

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CJR-1

... instances of human
such gigantic phenomena as the
emergence of state-organized societies or the
emergence of stratified classes and castes. The enormous differences between industrial civilization and pre-industrial societies, peasant or village ways of life

REPORTS

"East Timor: the Press Cover-up," by Noam Chomsky, **Inquiry**, February 19, 1979

Amidst the swirling rhetoric about human rights, charges Chomsky, the U.S. government and a loyal press have since 1975 continued to underplay, distort, or just plain ignore allegations of an appalling violation—the systematic massacre of thousands of people in the former Portuguese colony of East Timor at the hands of the American client, Indonesia. Chomsky's article, based on his testimony last fall to the Fourth Committee of the U.N. General Assembly, traces the development of events against the backdrop of State Department policy and Western coverage, with particular emphasis on *The New York Times*.

The evidence is telling. A *Times* piece on East Timor's civil war, for example, excerpted from the London *Times*, eliminated entirely the reporter's major conclusion that many of the news stories fed to the public were a product of a purposeful propaganda campaign by the Portuguese, Indonesian, and Australian governments. In a fascinating example of compound distortion, a *Newsweek* pickup of the *Times* piece concluded that the original stories were true. Chomsky also faults *Times* reports that persisted in describing Indonesia's "hands-off policy" and "remarkable restraint" and which continued to explain away as civil-war casualties the deaths of thousands of Timorese.

In a different category are the sins of silence (reporters following the lead, perhaps, of the State Department's cabled instructions to the embassy in Jakarta to "cut down its reporting on Timor," or the view of the ranking minority member of the House subcommittee on Asian and Pacific Affairs that "it is in all our interests to bury the Timor issue quickly and completely"). Here he cites the press's failure to raise questions about the continuing flow of U.S. arms to Indonesia, despite government claims of suspension, its failure to investigate reports attributing thousands of starvation deaths to defoliation chemicals spread by U.S.-manufactured planes, and its failure to follow up independent accounts of mounting atrocities.

Chomsky's documentation raises enough questions to justify his demand that the International Red Cross, U.N. observers, and more independent journalists visit the country. He also makes clear, once again, the dangers that await a press too sensitive to its government's foreign policy priorities.

"How to Manage TV News," by Joe Saltzman, **Human Behavior**, March 1979

Why do local television newscasts all look alike? Mostly, says Saltzman, because the stations are suckers for the kind of stuff that p.r. dreams are made of—the staged event. This brand of easy journalism, through which all manner of special-interest groups manage to get their version of the news into local living rooms along with the weather, is to some degree the product of inexperienced reporters who find themselves covering events run by spokespeople trained in sophisticated media techniques. By way of illustration, Saltzman—a former prize-winning journalist for CBS and currently a professor at the University of Southern California—shares insights gained during several stints as consultant to television-training seminars for executives of Standard Oil.

His account of these programs is as fascinating as it is disquieting: trainee oath-taking, meant to ensure the innocence of future groups; the trainees' uneasy anticipation, not unlike that of fraternity pledges, and the developing atmosphere of collegiate camaraderie; breathing and relaxing exercises, voice techniques ("Sinful Caesar sipped his snifter, seized his knees and sneezed"), use of the eyes, and what to wear ("avoid short socks"). And then the main event: the executive thrown cold into a television studio, with seasoned reporters paid to unsettle him with argumentative and personal questions, cheap shots, dropped film cans; the tape played back, ripped apart; the interview repeated until he has learned to handle the loaded question, stick to official positions, use the reporter's first name, capture audience sympathy, turn the question around by asking one that he likes better, avoid the "no comment" re-

sponse, and limit a crucial statement to the twenty or thirty seconds that would make an editor's work nice and easy. The seminars, Saltzman judges, are working out very well for industry, for given the rules of the game, the television reporter doesn't stand a chance. And, by extension, he suggests, neither does the public.

"The State of the First Amendment," by Jack C. Landau, **Nieman Reports**, Spring 1979

Viewed in the light of its eighteenth-century origins, the precarious state of the First Amendment in the 1970s is ironic: the wholesale seizure of private notes by court subpoena, the secret government inspection of news-office phone records, and the search warrant raids are similar in effect to the rigors suffered by colonial publishers at the hands of their British governors. Landau, who is director of the Reporters Committee for Freedom of the Press, and a lawyer, brings an uncommon sensibility to the issue of censorship, and his address to the Elijah Parish Lovejoy Convocation held at Colby College last fall is lucid and alarming. Tracing the erosion of free-press principles from the watershed of 1971—the year of the Pentagon Papers case and the *Stanford Daily* raid as well—through the limited confidentiality cases of 1972, to the broad Farber subpoena in 1978, Landau arrives at a ringing repudiation of his earlier counsel of moderation. Of little avail, he bitterly acknowledges, have been those scores of press-law seminars and reports; the press is under siege, with no choice now but to fight. The time has come, Landau urges, to move the battle out of the courts and into the domains of legislative action and public opinion.

"Do the Media Too Often Miss the Message?" by David Sleeper, **Conservation Foundation Letter**, January 1979

Is the snail darter a red herring? How does the oily bird catch the media worm? Are too many bulletins producing a shoulder-shrugging attitude to the *Carcinogen of the Week*? In this thoughtful appraisal of the state of the art of environmental-issues coverage, Sleeper, a foundation associate, suggests that the relationship between the environmental movement and the press that bloomed so dramatically on Earth Day 1970 is not without some seeds of irony. The reporting of complexities and subtleties, he says, simply gets nipped in the bud.

continued

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Internship Program COLUMBIA JOURNALISM REVIEW

In June the *Review* is inaugurating an internship program for college and university students. Interns will work closely with editors on a wide range of editing and writing projects.

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Sleeper outlines three major failings of specialized journalism: a tendency to define issues in terms of dramatic confrontation (the whooping crane versus the Platte River dam); an overemphasis on hot news (oil spills, protest marches, lawsuits); and a susceptibility to public-relations efforts by government, industry, citizen-action pressure groups, and universities (according to a recent study, 20 percent of all the environmental-news stories in San Francisco were simply rewritten press releases). Readily acknowledging such positive developments as the assignment of newspaper reporters to permanent environmental beats, the use of op-ed pages as open battlegrounds, and enlightening reports in network news, Sleeper nevertheless insists that still other means must be found to communicate about complicated environmental issues. Ultimate responsibility, he argues, must lie with both the environmentalists and the media, for what is essentially required is an altered conception by both groups of what the real news is.

Window Dressing on the Set: an Update, by the United States Commission on Civil Rights, January 1979

Picking up where the original commission study left off in 1978, this report examines the status of women and minorities in broadcasting from 1975 to 1977, emphasizing their portrayal in television drama, their participation in network news, and their employment patterns. Among the findings: Stereotyping of minorities continues, with males disproportionately seen in comic roles, teenage roles, lower-status roles, pain-inflicting roles. Stereotyping of women also continues, with female characters most typically portrayed as in their twenties, as students, secretaries, homemakers, or nurses, or having no identifiable occupation at all. Minority males and females not only continue to be underrepresented among news correspondents, but the proportion of minority females in 1977 declined. There was no significant increase in the percentages of minorities and women employed as officials and managers of the forty sampled stations. (At the headquarters level of the three major networks, the study reveals, the employment status of women and minorities is significantly lower than at the stations they own.) In addition to urging changes in programming, production,

and personnel policies, the commission makes a number of recommendations to the F.C.C., including the establishment of standards whereby minorities and women would be represented on every broadcast licensee's work force at a rate of at least 80 percent of parity with their representation in the labor force in the station's service area.

"Images of Arabs and Israelis in the *Prestige Press*, 1966-74," by Janice Monti Belkaoui, *Journalism Quarterly*, Winter 1979

The shape of political news, some social scientists believe, is determined less by the press's sense of social responsibility and its relationship to government than by economic imperatives and its relationship to business. As the thinking goes (known in the soc-sci trade as the "manipulative" model of the press), economic interests generate images of the world that make their way into news content so that important private issues become part of the national agenda. Following the October war and subsequent oil embargo, for example, news coverage could be expected to reflect the corporate position of Standard Oil, Mobil, and Texaco, whose spokesmen were making strong public appeals for the reassessment of American foreign policy and greater cooperation with the Arab nations.

This study by a doctoral candidate at Carleton University in Ottawa is designed to test exactly that premise. Belkaoui perused *Time*, *Newsweek*, *U.S. News & World Report*, and the *Sunday New York Times* for periods clustered around the June 1967 and October 1973 wars. She found that certain evidence (judgmental adjectives, descriptive phrases) supports the predicted shifts toward images more favorable to Arabs and less favorable to Israelis, and that certain other evidence (attribution of style or image to a speaker's manner) confirms the hypothesized shift toward a more favorable image of Arabs, "although the opposite trend of a less favorable Israeli image cannot be supported to the same degree, except in the case of *The New York Times*." Tracing the path of these images to the general public through Gallup Poll reports on Middle East attitudes, Belkaoui finds, unsurprisingly, that the public's sympathies during the period appear to have undergone a similar shift.

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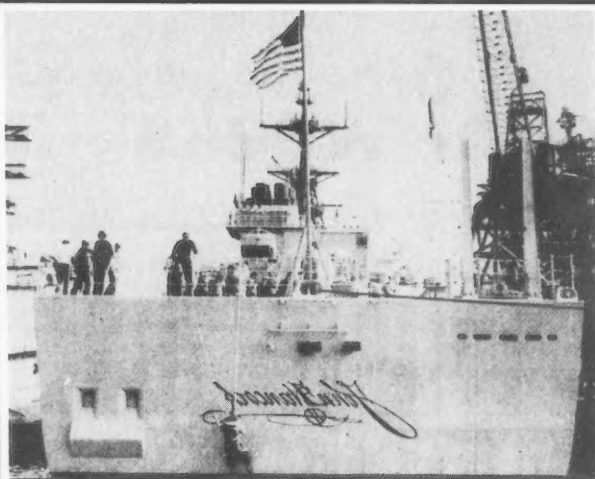
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Signature ship

A sailor applies the final touch to America's most famous signature on the Navy's newest destroyer, being

readied for commissioning ceremonies Saturday at Ingalls Shipbuilding yard in Pascagoula, Miss. (UPI)

Chronicle-Telegram (Elyria, O.) 3/8/79

7:30 P.M. Ch. 5—PM MAGAZINE. Featured: Restaurants that will, for a small fee, bring you breakfast in bed and Lou Ferrigno, the Incredible Hulk.

The Atlanta Journal and Constitution 2/17/79

Bishop defrocks gay priest

New York Post 3/7/79

U.S. audit finds funds for youth misspent

Deseret (Utah) News 4/11/79

Law Would Slow Rains on Newsrooms

San Diego Daily Transcript 3/26/79

COMES TO CANADA — Simpson's-in-the-Strand, the world famous restaurant in London, Eng., where such notables as Charles Dickens, Sir Winston Churchill and many monarchs died, has come to Toronto.

The (Halifax) Mail-Star 2/21/79

Lost crate yields alumni

Vanguard (Portland, Ore.) 2/20/79

The finale, which is traditionally upbeat, was the rousing "Tomorrow" from the musical "Annie." Before the last chorus, the magnificent Beverly Sills, a dinner guest, stepped in to sing a special verse.

The Washington Post 3/30/79

The finale, which is traditionally upbeat, was the rousing "Tomorrow" from the musical "Annie." Before the last chorus, the magnificent Beverly Sills, a dinner guest, stepped in to sing a special verse. It was written, incidentally, by Philip Geyelin, who had made news of a sort that very day by losing his job as editor of the editorial page of the Washington Post.

The Minneapolis Tribune 3/31/79

OAKLAND, Calif. (AP) — Black Panther leader Huey Newton, terming a 1974 murder charge "strictly a fabrication," said yesterday he will testify at his trial on charges of killing a prostitute against his lawyer's advice.

The (Cleveland) Plain Dealer 3/8/79

Even schoolchildren know Dr. Einstein for the famous equation that has come to represent his grandest work — $E=mc^2$ — energy equals mass times the velocity of light squared.

The Philadelphia Bulletin 3/7/79



Recession Only Inflation Cure, Economist Says

The Washington Post 3/7/79 page D7

NAM Asserts Inflation Only Cure for Recession

The Washington Post 3/7/79 page D10

(HX-14)MIDDLETOWN, Pa., April 3--TIN MAN--A worker at the crippled Three Mile Island Nuclear Plant, dressed in a decontamination suit, enters the plant site Tuesday. Workers must be dressed in the metal suit when working near the crippled reactor. (AP LASERPHOTO) (see AP AAA wire story) (tm31231stf/greenawalt) 1979

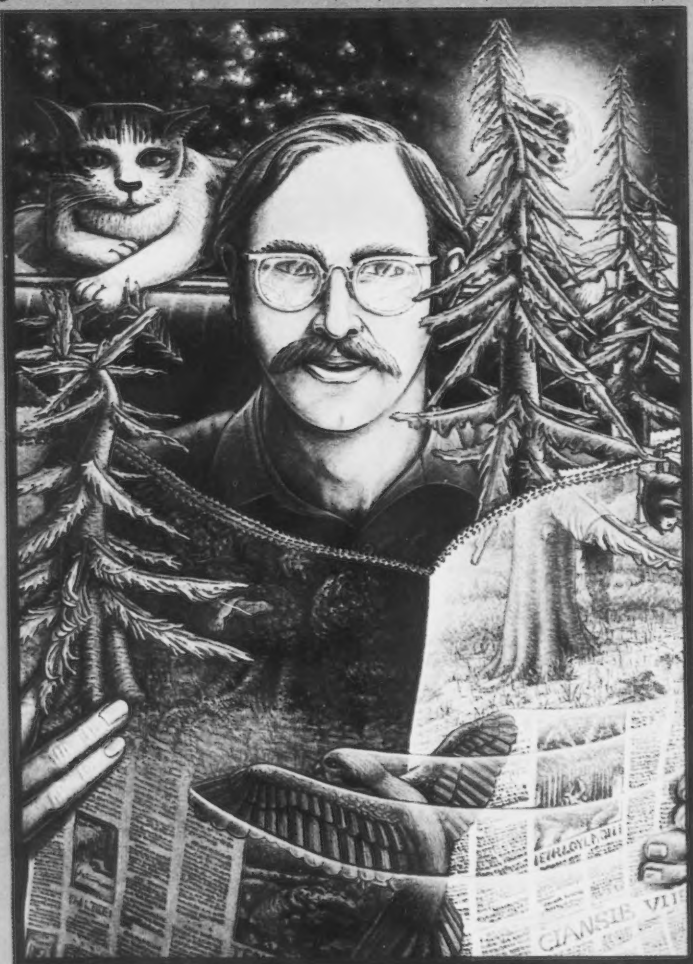
Editors:

In Laserphoto HX14 of April 3, Middletown, Pa., dateline, showing man dressed in reflective costume, please add: The man was a prankster at the visitor's center located across the river from the nuclear plant, but had not reached the actual reactor location. He was not arrested.

(THIS CAPTION SUBSTITUTES FOR ORIGINAL WHICH HAS BEEN KILLED)

(HX14)MIDDLETOWN, Pa., April 3--TIN MAN--An anti-nuclear protester dressed in a suit of reflective material enters the site of the Three Mile Island nuclear plant near Middletown, Pa., Tuesday. The protester's name and how he managed to approach the site were not immediately known. (AP Laserphoto) (See AP AAA Wire Story) (pb31427stf-greenawalt) 1979

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